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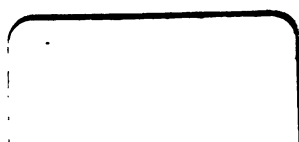
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**HANSARD'S  
PARLIAMENTARY  
DEBATES:**

**Third Series;**

**COMMENCING WITH THE ACCESSION OF**

**WILLIAM IV.**

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**5° VICTORIÆ, 1842.**

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**VOL. LXIV.**

**COMPRISING THE PERIOD FROM**

**THE SEVENTEENTH DAY OF JUNE,**

**TO**

**THE ELEVENTH DAY OF JULY, 1842.**

*Fifth Volume of the Session.*

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**LONDON:**

**THOMAS CURSON HANSARD, PATERNOSTER ROW;**

**LONGMAN AND CO.; C. DOLMAN; J. RODWELL; J. BOOTH; HATCHARD AND  
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J. BAIN; J. M. RICHARDSON; P. RICHARDSON; ALLEN AND CO.; AND  
R. BALDWIN.**

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**1842.**

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  - III. LISTS OF DIVISIONS.
  - IV. PROTESTS.
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# HANSARD'S PARLIAMENTARY DEBATES,

IN THE SECOND SESSION OF THE FOURTEENTH  
PARLIAMENT OF THE UNITED KINGDOM OF GREAT  
BRITAIN AND IRELAND, APPOINTED TO MEET 11 NOVEM-  
BER, 1841, AND FROM THENCE CONTINUED TILL 3 FEBRUARY,  
IN THE FIFTH YEAR OF

HER MAJESTY QUEEN VICTORIA.

FIFTH VOLUME OF THE SESSION.

## HOUSE OF LORDS,

Friday, June 17, 1842.

**MISCELLANEOUS.]** *BILLS.* Public.—1<sup>st</sup>. Public Houses.

*3<sup>d</sup>* and passed:—Sugar Duties.

*Private*.—1<sup>st</sup>. Sudbury Improvement; London and Green-  
wich Railway.

*2<sup>d</sup>*. Thames Haven Dock and Railway Company; York  
Cathedral; Carlisle Roads; Birmingham Free Grammar  
School Estate; Lord Southampton's Estate.

*Reported*.—Britwell Salome Inclosure; Kilmington In-  
closure; Ferrybridge and Boroughbridge Road.

*3<sup>d</sup>* and passed:—Church Stretton and Langden Road;  
Guarantee Society; Market Harborough and Brampton  
Road; Bolton and West Houghton Road; Hinckley  
Roads; Leicester and Ashby-de-la-Zouch Road; Holy-  
well Roads; Metropolitan Wood Paving Company;  
Paterson's Estate.

**PETITIONS PRESENTED.** From Wainfield, against the In-  
come-tax.

**THE QUEEN'S LETTER — DIS-  
TRESS (IRELAND).]** Lord *Clon-  
curry* begged to ask of the noble Duke  
opposite, whether any part of the money col-  
lected under the Queen's Letter, would be  
distributed amongst the people of Ireland?

The Duke of *Wellington* was unable to  
answer the question, no notice having  
been given by the noble Lord of his inten-  
tion to make the inquiry. He would  
give the noble Lord the information which

he required at the next sitting of the  
House.

Lord *Fitzgerald* thought that the noble  
Lord, before he repeated his question,  
should consider its tendency. The in-  
quiry which he made was in effect, whe-  
ther subscriptions made in England and  
Wales, to relieve the distresses of the  
people of this country, should be expended  
amongst the poor of Ireland. Such a pro-  
position ought to be well considered before  
it was suggested to the House.

Lord *Cloncurry* said, that subscriptions  
had been made in Ireland, which had  
been found to be totally inadequate to  
supply the wants of the people. Those  
wants were of the most melancholy de-  
scription, and were chiefly owing to the  
income of gentlemen being spent out of  
the country.

**INCOME (PROPERTY) TAX.]** The Earl  
of *Radnor* said, that before the Order of  
the Day for the third reading of the Pro-  
perty Tax Bill was proposed, he would  
beg to put one or two questions on mat-  
ters of detail, to which he thought answers  
would be desirable. He found that in

schedule B of this bill the duties assessed on income were different from those assessed under any of the other schedules. Schedules A, C, and D required a duty of 7*d.* in the pound, but in schedule B, which referred to lands, &c. in England and Scotland, 3½*d.* in the pound was to be taken on the former, and 2½*d.* in the pound on the latter. He desired to know on what principle these schedules had been framed, and what was the reason why a distinction had been drawn between England and Scotland?

The Earl of *Ripon* said, that under the old law, passed in 1806, but continued in operation down to the end of the war, the charges on tenants' lands had been less than those on the landlord's income. The tenant's profit was supposed to be two-thirds the amount of that of the landlord; but in this bill it had been placed at one-half the rent, because the former estimate had been considered to be too high. In answer to the second question of the noble Earl, he had to say, that in England the tenant, in addition to his rent, paid the tithes and rates, but in Scotland these charges were paid by the landlord; in consequence of this circumstance, the rent was higher in a proportionate degree in Scotland than in England, and therefore the assessment was lower in its amount in the former than in the latter place.

The Earl of *Radnor*: Then the reason why this new system had been adopted, was because it was not exactly the same as that which had existed under the former Act.

The Order of the Day for the third reading of the Income Tax Bill was read.

The Earl of *Ripon* said, that it was now his duty to address their Lordships, and to state to them the grounds upon which her Majesty's Government had felt themselves called upon to propose to Parliament a measure for the imposition of a tax upon income; and he had to express his sincere personal regret that he should have been in any way the cause of the postponement of the explanation of this measure until this period of the proceedings, and more especially on account of the interest which their Lordships must take in a measure of so much importance, and so materially affecting the people of this country. The measure was one which was undoubtedly open to many grave objections, and while in the opinion of many persons it was altogether unjustifiable, was certainly, ac-

ording to his view, justifiable only on the ground of the strongest necessity. He feared he might be compelled, in the course of what he had to state to their Lordships, to draw more largely upon their attention than it was at any time agreeable to him, or than he had any right to expect their Lordships would willingly grant. He would endeavour to compress what he had to state within the narrowest compass, by treating the subject as a matter of business, and by endeavouring to avoid, and he hoped successfully, the introduction of any topic likely to lead their Lordships from the immediate subject of the bill itself which was now under consideration. The first thing which it was his duty to bring before their Lordships was the actual state and condition of our finances, that being the basis upon which he placed the case of necessity which he should endeavour to make out. It appeared by documents on the Table of Parliament, that for the last five years there had been a successively increasing deficiency in the revenue of the country in each year, as compared with that which preceded it. The total amount of this deficiency, in the course of five years, was no less than 7,308,000*l.*, and that had been incurred in the following ratio. On the first of these years, ending the 5th April, 1838, the deficiency was 1,428,000*l.*; in the following year it was 430,000*l.*; then, 1,457,000*l.*; then, 1,851,000*l.*; and in the year just passed, ending 5th April, 1842, it had amounted to 2,139,000*l.* The deficiency, their Lordships would observe, had been larger during the last two years than in any of those which preceded it, and to such an extent had this deficiency increased, that it exceeded that of the three years which were antecedent. During the last two years, the deficiency was 3,990,000*l.*, while in the three antecedent years it had reached 3,315,000*l.* only. This alone, he confessed, made out to him a most unsatisfactory position for the finances of the country, particularly when he considered the circumstances in which the country had been placed, and in which it still continued to be placed, since the commencement of this habitual deficiency of its income compared to its expenditure, as he thought it must be called. The unsatisfactory state of our finances was greatly enhanced by the position in which we stood at present with respect to our pros-

pects for the future. First, with respect to the year in progress, we could not anticipate any reduction of expenditure; on the contrary, it would be found impossible to meet the necessities of the present year ending April 1843, without adding materially to the deficiency which already existed. It appeared that the revenue which the Government might calculate upon in the present year could not be taken at more than 48,350,000*l.*, whereas the expenditure, reduced as far as circumstances would permit, for he believed that no statement of any undue or unnecessary expense being incurred had been made, would not be less than 50,944,000*l.* The deficiency, therefore, in the receipt, as compared with the expenditure, was not less than 2,594,000*l.*; and if that sum were added to the deficiency which had already arisen in antecedent years, it would be found that in April, 1843, there would have existed a successive deficiency amounting in the whole to no less than 9,902,000*l.* In order that their Lordships might be enabled fully to estimate the importance of this deficiency, he might, perhaps, be permitted to point out some circumstances connected with our expenditure, as regarded those items of our expenditure to which it was attributable. This deficiency had not arisen in consequence of any reduction in the amount of our revenue, because the revenue in 1842 had been greater than that of any of the antecedent years, in which a deficiency had arisen. That increase, there was no doubt, was occasioned by the additional taxation of 1840, which did not fully realise the expectations which had been formed of it, but which did produce a very considerable increase in the amount of revenue. In the current year her Majesty's Government had thought themselves justified—not taking a too sanguine view of affairs, but upon a fair consideration only of the position of the country—in expecting that the amount of the revenue would be extended to 48,350,000*l.*—a sum rather exceeding that of the last year, as their Lordships would perceive. It did not appear, therefore, that the deficiency which existed had been occasioned by positive defalcation, but that it had resulted entirely from the increased expenditure of the country; and what he wished to draw under their Lordships' notice was, that part of the expenditure which had occasioned this enormous increase in the

demand for taxes. It was not from the increase of the charge by reason of the funded or the unfunded debt of the country that this expenditure had occurred, because in the year ending April, 1843, the sum required in respect of the public debt of the country would be much less than in any antecedent year, but it had arisen entirely from those great sources of public expenditure which were necessary for maintaining the honour, the character, and the interests, if not the safety of the State; those great items of expenditure which were requisite in respect of our military establishments. Let their Lordships see the extent to which these branches of our expenditure had increased. In the first of the years to which he had referred, that was in 1838, the actual charge of the army, navy, and ordnance, amounted to 12,827,000*l.* In the following year the charge for the same items had arisen to 13,273,000*l.*, and to that was to be added the sum of 500,000*l.*, which had been called for in consequence of the disturbed state of Canada, a sum which was not included in the general vote, but taken as a separate sum, though it was applicable to the same species of service, and originated in causes with which that service was connected. Adding this amount of 500,000*l.* to that previously referred to, the total amount granted in this year would be found to be 13,773,000*l.* to be appropriated to the military service of the country. In the following year a sum for expenditure in the North American colonies was again called for; the ordinary expenditure of the army, navy, and ordnance amounted to 13,763,000*l.*, a sum greater than that called for in the previous year, and to this was to be added a sum of 715,000*l.* granted to defray the expenses in Canada, making a total of 14,478,000*l.* In the following year the sum first demanded of Parliament was 14,012,000*l.*—the Canadian grant was 480,000*l.*, and now commenced a new charge in respect of the military operations carried on in China. The amount paid in that year (1841) on account of the China expedition, was 150,000*l.*; and adding these two sums to the ordinary military expenses of the country, the total sum was 14,647,000*l.* In the year ending April, 1842, the ordinary expenses of the army, navy, and ordnance, were 14,705,000*l.*—an amount exceeding that of the ordinary and the extraordinary charges

of the previous year, and of each of the antecedent years. In the course of that year the Canadian operations required an expenditure of 220,000*l.*, and the Chinese expedition called for 423,000*l.*, and this being added to the previously mentioned sum of 14,705,000*l.*, raised the whole military charge of the country for the year just past to no less a sum than 15,348,000*l.* Now the estimate of the present year went on, he must say, progressively increasing. For the ordinary military expenses of the country a sum of 15,440,000*l.* was called for, and to this were to be added 108,000*l.* on account of Canada, and 800,000*l.* on account of China, making in the whole 16,348,000*l.* for our naval and military expenditure. If their Lordships compared this sum with the amount required at the commencement of the period, when this habitual and regular deficiency began to occur, they would find that there was an increase of no less than 3,521,000*l.* He was not going, and he was sure their Lordships would not expect him to enter into a discussion of the circumstances which had occasioned this expenditure. Parliament had sanctioned it, and whatever opinion any individual might have formed of the circumstances which had occurred, a conviction prevailed, he believed universally throughout both Houses of Parliament, that the state of things was such that the expenditure could not have been avoided; but, though at first, there had appeared to be some reason to hope that this was a charge transient only in its nature, and that the country might look forward to its being shortly removed, unfortunately experience had shown that any such hopes were delusive, and that the expenses of the country were increasing instead of diminishing. It had been felt that, although the amount of expenses in any succeeding year could not be well ascertained, yet that he would be sanguine who flattered himself with the hope that any material diminution of the necessary expenditure which had arisen would take place, and therefore it was, that the Government felt themselves bound to consider the actual state of our finances as quite incompatible and inconsistent with the notion that the present monetary arrangements of the country could be continued. It was impossible to call those operations in North America, or on the coast of Syria, and those going on in China, of no importance. They might

not be operations of a character so important and so glorious in their results as those which they had been accustomed to see twenty-five years ago; yet they were wars—they were operations which occasioned the expenditure of war, and for that expenditure Parliament was as much bound to provide, as if the country were in a state of war with nations nearer to her. For his own part, he was unable to comprehend the distinction which some persons had attempted to draw, that because we were not engaged in warfare with some European powers, we were to consider ourselves to be in a state of peace. With respect to China, he thought that there were no grounds for believing that even after we had got rid of the operation in that part of the world—after we had disposed of those sums of money which had been provided for the use of the expedition in the present year—after the war which was now carried on had been determined, there would be no more to be paid in the next year. He believed, that even when this should be done, an additional 700,000*l.* would be required to wind up the business of the expedition, and any one who knew anything of the character of the Chinese, and the peculiarity of their disposition, must be aware, that, however they might appear to yield to foreign powers, no apparent termination of hostilities or settlement of existing differences could be looked upon as a real and decisive conclusion of this affair. Looking, therefore, at these items of additional expenditure arising from causes, which, without entering into criticisms as to the mode in which the business had been conducted by the Government of this country, he thought that there was sufficient ground for a belief that the expenses which must be incurred were entirely beyond the control of Parliament. It might have been imagined, and the belief was entertained at the commencement of the present year, that the affairs of Canada would shortly cease to call for the intervention of the British Government; but the causes for additional expenditure still existed, and though a sum of 108,000*l.* only was required this year, who was to say, that in another year the charge under this head would altogether cease? But, as he had already stated to the House, the Government was now left with a total deficit of nearly 10,000,000*l.* There was no certainty that this deficiency would be re-

moved by any fortunate concurrence of events, and that, in his opinion, was the basis on which the argument of the necessity of imposing this new tax should stand. This necessity might be said to be composed of three elements. First, the equalization of the receipts of the country with its expenditure. Secondly, the necessity of endeavouring to revise upon some system the heterogeneous mass of our import duties; and, thirdly, the impossibility, as it appeared to him, of devising any other mode of meeting the exigency of the time, which should be equally efficacious, and should not be more liable to specific objection than the Income-tax. Their Lordships must know the immense importance of equalising the revenue, and expenditure of the country, and of the certainty of meeting the deficiency by some efficient plan. But if their Lordships had any doubt upon this point—if they determined that this was an unimportant principle, they would find, that they would be cast adrift, and thrown into a position of the greatest uncertainty and danger, and that at last they would be driven to resort to a measure such as that to which he now asked their assent. The question of the necessity of equalising the revenue, and the expenditure was one which he thought was hardly necessary to argue; no one had doubted the importance of it, and no one who was at all conversant with matters of this kind had expressed any opinion other than that it was most desirable at all times to maintain this principle, and especially when the country was not encumbered with the pressure of an universal war. He could quote great names for this proposition, but he disliked such *argumenta ad hominem*, and he would only have recourse to two acts of Parliament to establish his position. The first of these acts was passed for the purpose of reducing the postage duties. He was not going to enter into the question of the policy or impolicy of that act, but it was so strongly felt by Parliament, when it was proposed to give the public the benefit of that reduction—to give up 1,200,000*l.* of the public revenues, that a paragraph was inserted in the preamble by which Parliament pledged itself that it would make good any loss that might be sustained in consequence of the provisions of the act being carried into operation. He could not give a stronger proof of what Parliament had felt necessary to be done,

except the actual provision by Parliament of the sum requisite to meet the loss. It might have been wiser to have done so at once, but the recognition of the importance of the principle was sufficient for his present purpose. But in the year 1841 a still more decisive proof was given by Parliament of what they had felt to be the necessity of the case under a similar state of things, because they had proceeded in that year to redeem the pledge which had been previously given. Having pledged themselves to make good the deficiency occasioned by the loss of postage, Parliament proceeded to impose new taxes for the purpose of supplying that loss, and granted new taxes also in order to meet the general deficiency of revenue. In 1840, the deficiency being 2,232,000*l.*, Parliament proceeded to grant new taxes calculated to produce 2,337,000*l.*, with the distinct object of equalizing the revenue with the expenditure of the country. But he was wasting the time of their Lordships in arguing a self-evident proposition, and he was satisfied that no one would argue against the first proposition, which he had put forward as one of the elements of the necessity which governed this case. But on looking at the state of the revenue of the country, they had to determine whether there was not something in the position of our fiscal regulations, as regarded the duties on the import of foreign commodities, to which it was necessary that the Government should apply itself, with a view to its revision. Any one, who had attended at all to subjects of this nature, must know that the existing scale of import duties on foreign commodities was founded on no principle whatever. This had arisen from causes which were more or less accidental. During the pressure of the long war, which ended in 1815, when it was necessary to have recourse to every means of raising supplies for the purpose of paying the interest on loans, amongst other methods resorted to was one which had a peculiar effect, that of raising the Customs' duties 10, 20, and even in one case, in 1812, he believed, as much as 25 per cent., without any reference whatever to the price of the article taxed. Thus it came to pass, that the import duties on foreign articles were far higher than those which were originally contemplated to be imposed. Their Lordships would find, if they looked at the amount of the import duties, that the relation which the duty



upon each article bore to the price was extremely variable. Sometimes it was wholly prohibitive, although it was not so intended. Sometimes, indeed, it was great, as it was meant to produce a revenue from articles of general consumption, but in other cases it was large for no such purpose. The effects produced by many duties were very different from what was at the time sought, and they could not have been looked upon as permanent duties. Indeed, some of these duties were confessedly of a temporary nature; it was not intended that they should continue after the war; but in consequence of the exigencies of the country immediately after the war, these duties had been converted from temporary into permanent imposts. He was sure that their Lordships would not think that the Government had done more than their duty under the circumstances, if they had applied themselves to this important subject. He did not venture to say, that they had done what was perfectly satisfactory to all the members of the community. They were dealing with many articles, many interests were involved, and it would be in vain to hope that all would be satisfied. He had himself had much experience in these matters, and he had found much more difficulty in taking off a tax than in imposing a new one. The repeal of a tax created much more uneasiness and alarm than the proposal for a new tax. No one, however, would say, that the Government had not done its duty when they had endeavoured to lay the foundation of a better arrangement and promote an adjustment of those duties on the import of foreign articles. Then it was quite clear that it was impossible to carry these operations into effect without incurring in the first period of the change a considerable loss to the revenue, because he confessed that he could not agree with those who thought that there was necessarily at the very time of the reduction of duty such an increase of consumption as would raise the same amount of duty. Although in consequence of the reduction of duties there was an increase of consumption, particularly if the duty bore a large proportion to the value of the article, still it appeared from the document which he had before him that five, six, or seven years elapsed before the reduction of duty was attended with such an increase of consumption as would make up for the loss of revenue which the reduction was calculated to produce; and

therefore, although these reductions were wise things in themselves, and were attended with beneficial consequences, as regarded our foreign customers, the consumers at home, and ultimately with regard to the revenue itself; still they would be an unjust basis on which to found any plan to meet such an exigency as the present. When the Government thought it right to propose to Parliament a great reduction of duty on many articles in the tariff, they did not deem it proper to assume that these reductions would be unattended by a considerable loss to the revenue; and therefore, in estimating the mode in which they should meet the present case, they had to consider, first, what would be the amount of the deficiency supposing no alteration in the duties took place; and secondly, what would be the amount of the deficiency supposing the duties were considerably lowered. The estimated deficiency of the revenue for the present year was 2,574,000*l.*, supposing no reduction of duties whatever had taken place. The estimated loss in consequence of the alterations in the tariff were considerable. The estimated loss from several small articles, to the number of 750 would be 270,000*l.* On coffee the loss would be 170,000*l.*; on timber it would be 600,000*l.*; the loss from the repeal of certain export duties would be 100,000*l.*, and the loss from certain other duties 70,000*l.*: making the whole deficiency in the revenue, including the estimated deficiency in the year, 3,780,000*l.* That was the sum for which, in accordance with the plan submitted by the Government to Parliament, and on the assumptions he had made, it was necessary to provide some additional scheme of taxation. It was calculated, first, that the Income-tax would produce, in round numbers, 3,750,000*l.*; secondly, that certain additional stamp-duties in Ireland would produce 160,000*l.*; thirdly, that the extra duty on spirits in Ireland would produce 250,000*l.*; and, lastly, the export duty on coals was estimated at 200,000*l.*, but, in consequence of some modifications it had since undergone, the whole produce was calculated at 160,000*l.* The whole produce of the new scheme of taxation was expected to be 4,320,000*l.* If from that were deducted the first estimated deficiency of 2,570,000*l.*, there would leave a surplus of 1,750,000*l.*; from that surplus, however, was to be deducted the losses on

the tariff, and they would leave a surplus, after meeting both cases, of 520,000*l*. It might be said, that it was unnecessary to make such an arrangement of our taxation as that the Government should not have even that small surplus; but there were many considerations which rendered such a surplus not only desirable, but necessary. Their Lordships might recollect that the Government was now engaged in negotiations with foreign powers for regulating the intercourse between this country and them for the common interest of all. If these arrangements were acceded to by the foreign powers, they would all involve a reduction of duty on certain articles in which there had not been any reduction in the tariff. The surplus would enable the Government to meet such contingencies as these. He now came to the third element of the case of necessity which he was endeavouring to establish before them. It was to be found in what, he confessed, appeared to him to be the impossibility of devising any other plan which would at once be equally effectual and equally certain, and which would not be more liable to objection than the plan of the Government. Their Lordships were aware that, with the exception of the 10 per cent. levied in 1840 on the assessed taxes, the per centage of 5 per cent. on the customs and excise did not realize the expectations of those who had made the proposal to Parliament. Their Lordships would therefore consider that a sufficient ground for believing that a recourse to anything like that plan now would prove an entire failure. He knew, however, it might be said, seeing the amount of the reduction of taxation which had taken place since the year 1815—the war-time—that they might have recourse to the re-imposition of some tax which had been taken off, and which might raise the revenue required, without imposing any new taxes. He thought, on the contrary, that nothing would be attended with so much difficulty as the adoption of such a proposal. He would simply point out some of the items of taxation which had been reduced since the war, to show that no recourse could be had to them to meet the present necessities of the country. The documents laid upon their Lordships' Table presented a clear view of the case. Undoubtedly a person who only took a casual view of their contents, would say, "Here is one resource to which you may

apply yourselves without the aid of new taxation." It might be said, that here was a mine from which they might dig, and not only make up the present deficiency, but also find a surplus. It appeared that the amount of custom-duties reduced since the war in 1815 amounted to no less a sum than 9,170,000*l*; in the meantime however, Parliament, under the pressure of necessities, not the same as the present, had re-imposed some, amounting to 3,746,000*l*., leaving a positive reduction of 5,444,000*l*. If their Lordships saw these deductions, and the principle on which they had been made by successive Governments, they would be convinced that the attempt to raise enough to meet the present deficiency, by re-imposing the customs' duties, would be the vainest expectation in the world, and would only be productive of the greatest possible difficulty and injury. It would be contrary to the principle on which the Government was itself going in the tariff, if they caused a re-imposition of many of the duties taken off since the time of the war. Let them take the first, then, the duty on cotton wool, the most important article, the raw material of the greatest manufacture of this country, from which so many millions derive their support. The duty had been reduced first 222,000*l*., it was further reduced 472,000*l*., and then still further 190,000*l*. In successive periods it had been reduced 1,024,000*l*., although at intervals some had been re-imposed, but the total deduction since the war was 604,000*l*. They might undoubtedly re-impose that tax, they might say that it had been borne before, and could be borne again. But if they did re-impose it, he was sure that they would be striking a fatal blow at a most important branch of our manufactures, and he could not give a better proof that this would be its inevitable effect, than by stating that no more urgent representations had been made to the Government than those to take off the remaining duty; and he was ready to admit, that no consideration but the amount of the revenue would justify the Government in retaining that duty a single moment. It was perfectly impossible to defend it upon any other ground. The next article in the list of duties repealed was the tax repealed in 1822 on the tonnage of shipping, both outwards and homewards. Nothing could be worse than such a duty. Foreign ships and

tonnage were rapidly increasing, and the only mode by which we could give any assistance to our own was by the reduction of the taxation. No one, he was sure, would say that this was a duty that ought to be re-imposed. The next article on which the duty was reduced was also a raw material. The article on barilla had been reduced at three several times to the ultimate amount of 121,000*l*. Why had these reductions been made at these three several periods? Because the first reductions were not considered by the manufacturers to be enough. The new tariff would reduce this to a merely nominal duty. There were many other items of the kind, with which he need not trouble the House. He believed that no one would consider it safe, in reference to our intercourse with foreign countries—in reference to the progress of manufactures in other countries, and in reference to the opposition opening against us there, to re-impose any of the duties which had been taken off the raw material. At two several periods the duty on coals had been taken off: there was the coasting duty on coals, amounting to 900,000*l*., and an additional duty on coals coming into this country, duties imposed only on that part of the community which resided near the sea shore, and amounting together to 1,100,000*l*. These duties had been taken off most wisely. He had been the instrument of taking off the first, and he believed his noble Friend at the Table (Lord Monteaigle) had been the means of repealing the other. Then the duty which had been taken off silk at several periods, amounted to 500,000*l*. or 600,000*l*. Would they tell him to re-impose the duty on silk? They could not put a higher duty on the raw material, and keep up the competition with foreign countries without causing ruin to the industrious parties connected with our silk manufactures by a tax which it had been the policy of successive Governments year by year down to the present time, to reduce, as fast as circumstances would permit. If they went through all the articles of the customs in which reduction had been made, he was satisfied that they could not get upon any intelligible principle, or with any justice, a sum of 100,000*l*. Next, with reference to the Excise duties. Would they have recourse to the excise? They had reduced the excise duties since the war by a sum of 14,000,000*l*. They had re-imposed 4,000,000*l*., but the total reduc-

tion since 1815 had been 10,000,000*l*. If any noble Lord was prepared to say, that they ought to re-impose any part of the malt-tax which had been taken off, he should be surprised. He was sure, that it would be a most impolitic tax, and he was satisfied, that it would be most unwise. He had frequently heard suggestions thrown out, that some duties should be imposed, but he had not heard one proposed to re-impose the malt tax. Several representations had been made to Parliament to take off that part which remained. He had concurred with those who had resisted these motions, because, although he considered the malt-tax an objectionable tax, it was quite clear that the revenue could not bear the sacrifice; but it did not follow because he opposed a total repeal, he ought to support an increase which he was satisfied would be just neither to the grower nor to the consumer. The duty on salt had been repealed, it produced 1,500,000*l*. He recollected the representations which were made in the House of Commons against this tax. It was the subject of many inquiries, and it was perfectly demonstrated, that if it were a hard tax upon all, it was a tax which pressed with particular hardship upon poor persons. After the long battles which generally took place upon these taxes, it was ultimately taken off; and considering that England was the only country in Europe where the poor man could eat salt without paying a tax, he would be the very last person who would deprive his countrymen of that distinction. The tax upon leather produced 700,000*l*., and it had been taken off at two separate periods. He had heard it said, that the public derived no benefit from the reduction, and that the duty might be re-imposed without injury. He entertained considerable doubts whether the public had derived no advantage from the reduction of duty upon leather. He did not say, that they had fully derived the advantage which all might have hoped. There were few measures on which the sanguine minds of men did not anticipate greater benefit than could possibly be obtained. But when it existed it was a very hard tax. The duty was levied according to the weight, and it therefore pressed heavily on the poor, because they paid a greater proportion on their articles, which were heavy, than the rich man whose shoes were light. Every one knew, that there had been a great reduction in the

price of heavy shoes since the duty had been taken off. Beside, if they recurred to the excise duties, they must re-impose those embarrassing regulations and contrivances by which the duty could be collected. They must impose restrictions upon trade, which were absolutely necessary with the duty; but they would be a great impediment to the manufacturers, and if their Lordships would inquire into the operation of excise regulations in any manufacture, he thought they would not hesitate to admit, that high excise duties on any article were a great evil. Any ground, therefore, on which they could re-impose the duty on leather, was to him wholly unintelligible. He next came to spirits. There had been reductions of the duty on spirits. The duty had been constantly fluctuating, and it had been many times raised, the present Government had put an extra duty of 1s. on some spirits. In increasing the duties on spirits they were always in danger of lending themselves to the encouragement of smuggling; and what they proposed now was, not to try an experiment—they had to fill up the deficiency by means that would do it; and they could not run any risk of failure. He therefore thought it right, and absolutely necessary, not to attempt to supply the deficiency by imposing any higher duty upon spirits. Another duty had been repealed—the duty on printed cottons. This was, perhaps the most absurd duty that had ever been imposed; as there was a great exportation from this country of printed cottons a drawback was allowed. It was not possible to lay the duty on that consumed at home, without levying it upon all, and, therefore, to derive a clear sum to the revenue of 525,000*l.*, a tax was levied amounting to upwards of 2,000,000*l.* No one, he believed, would think of re-imposing that tax. During the last few years the duty on glass, on soap, and on paper, had been lowered, giving up 1,000,000*l.* more. It might be said, re-impose these duties. They had all the machinery for its collection, for they had not taken off all the duty, but only half. Still having recently taken off this duty because the interest of those different trades required it, it would only create great confusion in an extensive branch of business, if they now re-imposed duties which they had so lately reduced. He, therefore, thought that large as the reduction of the duties in the excise had

been since the war, they would not now be able to derive an increased revenue by re-imposing them, of upwards of 100,000*l.*, any more than they would from the customs. Then with reference to the stamps. The first stamp duty which he found to have been taken off was 180,000*l.*, arising from certain duties on law proceedings. What were these duties, in substance, but a tax upon justice. They had been objected to in every possible way, and the necessity of taking them off was urged by every one who knew the value of cheap justice. He then came to the duties on advertisements, which had been reduced by a sum of 1,471,000*l.* Why were they taken off? Because the duties were so high that the number of advertisements was decreasing instead of increasing. The duty was thus manifestly too high. Although the loss to the revenue had not been entirely made up, yet the practice of advertising had increased, and the whole of the reduction had not been a total loss to the revenue, and this increase they would lose if they re-imposed the duty. There was also a sum of 391,000*l.* given up in 1836 by the reduction of the tax upon newspapers, and he must take the liberty of doubting whether the House of Commons would re-impose that tax. He was sure that noble Lords opposite would not think of anything of the kind, because the reduction had taken place in their time, and they had given good reasons for it. As a measure of finance, they had stated, as was the fact, that the number of newspapers would increase, and that the total loss to the revenue would not be equal to what it would be if there had been no equivalent, and consequential increase in the circulation. It might, indeed, be said—"Well, after all, you are very right in this; you ought not to raise the duty on advertisements; but look at the assessed taxes. Here is a great resource. You have taken off a large amount since the war. You have taken off 5,180,000*l.*; but after the re-charges the net amount was 4,942,000*l.* There you may fill up your gap. You have abundant space there to make any alteration you please with respect to your fiscal relations with foreign countries. Here you may make up all that you require." And so they would as regarded the sum repealed, but he doubted much whether they were very sure of getting again the whole of that sum; for if they re-impose

a tax to make this amount, they must catch those who resided at home, and who made no alteration in their establishment, but they could not catch those who by either process would escape payment. They did two years ago add 10 per cent. to these assessed taxes. The increase was cheerfully submitted to; he believed that there were no particular complaints, except as to the new survey, and it had produced the money anticipated, 300,000*l.* or 400,000*l.* But it did not follow that if they re-imposed the whole, they would be equally successful. The present amount was 2,500,000*l.*, and they would be adding just 200*l.* per cent. This would be looked upon as a grievous burden, and he did not think that raising such an amount would be at all palatable to the country or just in itself. They would have to re-impose the house-tax, which a few years ago had been taken off. The house-tax pressed heavily not only on the rich, who were able to bear it, but also upon those in the middle and lower classes of life, and they should not have recourse to that. If they revived the whole they would create the greatest possible hardship. In the year 1825 he had had the honour of proposing in the other House of Parliament a reduction of two items of the assessed taxes, which appeared to him to be founded on a just principle, and which he was sure were calculated to give relief to those who were least able to bear the tax. He had proposed in that year to release from the house-tax all houses rated at less than 10*l.* a year. At that period there were 527,000 houses charged with the duty, and the effect of his plan was to release 171,000 houses altogether from the payment of the house-tax, and that of the lower class of houses. If there was any one point on which the poor people of this country suffered more than another, it was in the wretchedness of their lodgings; even those who were relieved from the tax in 1835 were very badly off, and it would be revolting to every proper feeling towards that class on which taxation must press, and a grievous addition to the difficulties under which they were struggling if they re-imposed this tax. So again, in 1830, there were 635,000 houses relieved from the payment of the window duty, because houses had not more than seven windows. There again his last observations fully applied. He knew it might be said, "You can make these exemptions in favour of all

the houses of the poor, and put the assessed taxes exclusively upon those who were rich and better able to bear them." The assessed taxes, however, were imposts which parties might easily avoid, and exactly in proportion as they had facilities of diminishing their establishments, or withdrawing themselves from the country, the re-imposition of those taxes would fail to produce the revenue required. It appeared to him then, as regarded those taxes which had been repealed, in reference to sound principle, and with a due consideration to the interests of all classes, with a due consideration to sound principles of commerce, and with regard to the real interests of the revenue, that he had said enough to show their Lordships that they could not re-impose those duties, and thus provide satisfactorily for the exigencies of the country. It might be said, that there were other resources—resources derived, not from imposing, but from lowering taxes; and the resolutions to be moved by his noble Friend (the Marquess of Lansdowne) had reference to those resources. Among these was a reduction of the duty on corn; but their Lordships had been so recently called upon to discuss that subject, and to establish a new system, that they would hardly be prepared now to overturn that system and to adopt a new one, which regarded corn as a portion of a fiscal arrangement. He submitted that corn ought never to form an element in any fiscal plan, and that it would be a most unsafe and unwise policy to rely upon what must necessarily be a very fluctuating duty as a source of revenue to meet an avowed deficiency. There were two other articles contemplated in the resolution of his noble Friend—timber and sugar. He did not know by what process it might be proposed to raise additional revenue by an alteration of the duty on timber, excepting in as far as a great reduction of duty might be followed by a great increased consumption. Increased consumption might diminish loss, but would not in any assignable time yield an increased revenue. He could only suppose, therefore, that the motion of his noble Friend had reference to the arrangement proposed last year; that arrangement contemplated in the outset an increase of revenue by doubling the duty on Canadian timber. No doubt, if the double duty did not diminish the quantity imported, the result would be an augmented revenue.

The amount of duty must be compared with the price of the article; 10s. per load was no less than 18 per cent on the value of the article, and it was not to be forgotten that timber was a raw material of the first necessity, and of universal consumption. To double that duty would, of course, raise it to 36 per cent; and to say, that as a measure of finance this course should be taken for the purpose of increasing the revenue, seemed to him (the Earl of Ripon) little short of preposterous. It had also been proposed to reduce the duty on Baltic timber from 55s. to 50s. Now 55s. was no less than 115 per cent upon the value of the raw material. To reduce that duty 5s., would obviously be doing no good; and he could not discover how any sum worth speaking of could thus be obtained to make good the existing deficiency. If Canadian timber were excluded, and Baltic timber with the higher duty substituted, not only would the consumption be diminished, but the change would be attended with the utmost hardship to the consumer. Then, as to sugar, that was an article from which it was supposed a great revenue might be raised. He presumed, that what his noble Friend intended to suggest was what had been recommended elsewhere—a reduction of the duty on British sugar from 24s. to 20s., and on foreign sugar from 63s. to 30s. Hence it was imagined, that a great addition might be made to the revenue, and to the comforts of the lower orders. It was quite clear, that a small reduction of duty would be of no benefit to the consumer; and what would be the effect of the proposed alteration? The immediate effect would be to diminish the revenue one-sixth. In 1841, the net revenue from sugar was 5,114,000*l.*, and the loss of one-sixth would be 852,000*l.* The assumption, however, must be not only that there would be no loss, but that there would be a gain of 700,000*l.*, making a difference in the whole of more than 1,500,000*l.* The reduction of price to the consumer would not be  $\frac{1}{2}$  per lb., so that the benefit to him would, in fact, be nothing; and consequently, there would be little or no increase of consumption. What, then, would be the result of the reduction of duty on foreign sugar from 63s. to 30s.? Upon that, it was evident, reliance must be placed for raising the 1,500,000*l.* The consumption of sugar in the last year was equivalent to about 24½lbs. per head upon the whole population of Great Britain, not including Ireland; and the average price, exclusive of duty, was 37s. 1½*d.* per cwt. He would take the years 1830, 1831, and 1832, when the price of sugar was considerably lower than at present. In 1830, the price of sugar was 24s. 11*d.*, the duty 27s., and the price, therefore, including the duty, 51s. 11*d.* In 1831, the price was 23s. 8*d.*, the duty 24s., and the price, with the duty, 47s. 8*d.* In 1832, the price was 27s. 8*d.*, the duty 24s., and the price, including the duty, 51s. 8*d.* Thus, the average price to the consumer during the three years, was 50s. 5*d.*, and the consumption was at the rate of 25½lbs. per head. If Parliament were to make the reduction of from 24s. to 20s. upon British sugar, and of from 63s. to 30s. upon foreign sugar, and if it would reduce the price down to the average of the year 1830, 1831, and 1832, it might be anticipated that the increase of consumption would bring the revenue to a level with those years when the price was comparatively much lower. But what would be the fact? The additional consumption of 1*l.* per head would amount to 8,328 tons, and taking half the revenue to be produced by British, and half by foreign sugar, the total would be 218,714*l.* to meet the actual deficiency of 852,000*l.*, an assumed increase of 700,000*l.* He feared that he had not made this complicated point very intelligible, but their Lordships would see enough to convince them that the projected alteration could not give anything like the requisite amount of revenue. It might be said, that he had underrated the increased consumption; but taking it to be quadruple his calculation, still there must remain a considerable deficiency. He had thus stated the grounds on which it appeared to him, that there was no mode by which the existing deficiency in the revenue could be certainly supplied but by an Income-tax. Nobody could deny, that by an Income-tax the money would be obtained. No person could escape from the payment of it, either by going abroad, or by reducing his establishment, as in the case of the assessed taxes. Neither could any man assert that any other scheme would, without fail, accomplish the end in view. He was fully sensible of the objections to the plan, and they had never been denied nor undervalued. It had been admitted by Ministers elsewhere, and he was ready to

admit it now, that this was an expedient only to be justified by strong necessity; but he could not but think, that that necessity was to be found in the present circumstances of the country; in the state of her finances, in the uncertainty of those finances, and in the position which she politically occupied. There was no question that it was fit to make a great effort once for all to meet the exigency, and therefore, in spite of all objections to the Income-tax—in spite of all temptations held out by other schemes more palatable, and in some senses more plausible, he was of opinion that their Lordships would do well to follow the example of the other House of Parliament, by passing the bill upon the Table as the most efficient means of supplying the public necessity, and meeting that exigency which, if it were not met, would expose the country to the greatest possible evils. He did not know whether their Lordships expected him to enter into an explanation of any of the details of the measure; most of its provisions were not new, but some modifications of the old plan had been introduced. One of these was the exemption of incomes under 150*l.*; another was an alteration as to rent-charges upon tenants; a third, the obtaining the amount of income on trades and professions from an average of three years. These were new provisions, and obvious improvements. The bill was divided into schedules, and it was calculated that the produce would be as follows:—

Schedule A	..	..	£1,600,000
Schedule B	..	..	150,000
Schedule C	..	..	646,000
Schedule D	..	..	1,220,000
Schedule E	..	..	155,000
			£3,771,000

If their Lordships concurred in this measure, however onerous or objectionable on some accounts it might be, he was sure that they would never have to reproach themselves. Taking the whole scheme, not only as regarded the revenue, but the trade and manufactures of the country, to which a new spring and impulse would be given, while the consumer was essentially benefitted, he was confident that it would operate most advantageously, and that ere long all parties would be convinced, that the only safe and effectual course had been pursued,

warranted by the condition of the revenue, the state of the country, and the impossibility of supplying the deficiency from any other source to which a Government would be authorised to apply. His Lordship concluded by moving that the bill be read a third time.

The Marquess of *Lansdowne* rose to discharge what he considered to be his duty, by moving an amendment. The noble Marquess adverted to his intention to have brought it forward on a previous day, if he had not been prevented by an accidental circumstance. The bill had thus reached its present advanced stage in little more than a week, and it was not his wish now, nor had it been his wish at any time, needlessly to obstruct its progress. All he wanted was an opportunity of calmly considering the subject, and of recording his own opinion and that of his noble Friends. He was glad to be able in the outset to state his concurrence in all that the noble Earl had, somewhat unnecessarily, though clearly said, on the expediency and importance of making the revenue equal the expenditure. To that doctrine he entirely subscribed, and no form of resolutions too solemn or precise could be brought forward, embodying that object, in which he would not heartily concur. He thought it most material to be understood, not only in the House, but in the country, and in the face of the whole world, that there existed on all sides a determination to raise that amount of revenue which was necessary to sustain the public establishments, without having recourse to an increase of the national debt. He came, however, to the question, whether the means proposed for accomplishing this end were the best that could be adopted. Premising that he was not prepared to say, that the establishments of the country could be reduced in order to accommodate them to the deficient amount of revenue: on the contrary, he believed that the expense of the establishments this year did not exceed the expense of last year, and he was glad to find that the noble Duke (the Duke of Wellington) and his friends considered those establishments sufficient for the maintenance of the character, honour, and interests of the empire. He would not enter into a discussion with his noble Friend, because there was no material point of difference between them as to the degree in which the exigencies which

had created the necessity for this increased revenue, were to be considered temporary. He was not, on the one hand, so sanguine as to suppose that they could be terminated at an early moment; nor was he, on the other hand, so desponding as to apprehend that the various questions could not be speedily settled, and settled in such a manner as at no remote period to produce a diminution of the public establishments; but he was ready to go the length of saying that there hung over them a sufficient degree of uncertainty to make it the duty of Parliament to look at the actual deficiency as something to be provided for without any immediate prospect of diminution. He, therefore, took the deficit as he found it; but there he stopped: he took the deficit as arising from a comparison of the existing expenditure and the existing revenue, and would not enter into the question how far it might be proper to change the present system of taxation altogether, and to substitute an Income-tax for it. That was a separate, and in some points of view an alarming question, because there was no saying how far the change might be carried. From the moment the noble Earl laid down the principle that it was desirable to get rid of taxes by imposing an Income-tax, there was no knowing to what length he might be disposed to go. His noble Friend had gone through various points and arguments connected with taxation, and had adverted to the extreme inconvenience of putting on taxes which had once been repealed; but by the exercise of the same ingenuity he might have pointed out millions of taxes equally disagreeable, for which the Income-tax might be a substitute. He might have introduced the taxes upon houses or horses, or any others which it was inconvenient to pay, and might have said, "Here is an Income-tax, a remedy and a substitute for all these." If so, what became of the proposed period of three years, during which the Income-tax was only to continue? What security was there that it would be limited to the present exigency? It might possibly produce a great and a beneficial change, but let their Lordships recollect that it involved an alteration of the whole system of taxation. This question he was not now prepared to discuss, and he limited the remedy to the existing deficiency. He would, therefore, take the question as the noble Earl had first put it—how was it fit

to provide for the present deficiency of about two millions and a half? It would, he apprehended, stand to reason at all times, that when Parliament was called upon to supply a deficit, it ought first to endeavour, if possible, to do so by such a regulation of existing taxes as shall not interfere with, but increase the comforts of the community. If it could be accomplished in that mode, that mode ought to be tried, and Parliament had no right until then to lay an additional shilling on the people. He said so at all times, but especially at the present moment, when so much distress prevailed, and regarding which two of his noble Friends had made statements that he feared were not exaggerated. If means could be found which would increase the comforts of the poor, not only without diminution, but with addition to the revenue, that was the first source to which a wise statesman would look. In the second place, under this feeling, Parliament ought to adopt that species of direct taxation which was least unpalatable to the country, which least affected public prosperity, and in its result was least burdensome. He thus came to the question, how far these considerations applied to the Income-tax? The bill was upon the Table; its form was voluminous; it gave great powers, various in extent and different in application; it was the first-born of the budget—a gigantic offspring, of mighty strength, and in many respects, as was admitted, most objectionable in its details. There was one quality belonging to the principle of an Income-tax which he willingly admitted to exist to the whole extent which his noble Friend (the Earl of Ripon) had stated: it was an efficacious tax. It was sure to extract the money out of the pockets of the subject. It had one quality in common with the lancet—that blood was sure to follow, be the consequences what they might to the feelings and constitution of the patient. The object was answered, for the money was paid. Now, that was a quality which he admitted an Income-tax to possess, and it was its sole recommendation. He said its sole recommendation, because he did not think it any recommendation of the system the argument which he had heard elsewhere urged, but which his noble Friend had not condescended to use—and he was glad his noble Friend had not—that an Income-tax was a tax affecting only the higher and middling classes of the



community, and not the lower. Their Lordships had heard it said, "What magnanimity!—we are going to tax ourselves; we, indeed, shall feel the tax, and we are quite prepared to bear it, but nobody else will be affected by it!" So far from according with this boast, he was of opinion that if there was a tax which more than any other went to affect the interests of the lower orders, which diverted the application of that capital which set labour in motion, it was an Income-tax. It would be quite true that the poor would not suffer from an Income-tax, were the consequences of it merely that the man who paid it ate less meat, drank less porter, or consumed less bread. But they all knew that every man of capital would, in his own person, consume exactly the same portion as before; but what else would he do to meet the demand of the tax? He would abstract it from his savings—those savings which went to make the national purse and national capital; or, if he were not a saving man, then, according to his station in life, were he a gentleman, a rich shopkeeper, or manufacturer, he would make a considerable diminution in the number of persons in his employment, which would thus deprive them of their means of subsistence. Therefore, the sole merit of an Income-tax was the efficacy and certainty with which it took the money out of the pockets of the people. This, he admitted, had always been, and always would be, its great recommendation. It was a merit he had occasion to observe in it, when, at an early period of his life, he supported the continuance of that tax under the pressure of a war, and of the immense difficulties that were then bearing upon the resources and vitals of the country. But to compare that exigency to the present state of things was like comparing a mountain to a mole-hill. Upon that very question of exigency his noble Friend (the Earl of Ripon) had bestowed some pains, and had endeavoured to show that we were at the present moment in a state of war, and that there was no material difference in the circumstances of the country. Now, if this argument were worth anything, it might have been urged at any time, because he apprehended that there was scarcely a period during the last thirty years when some chieftain or other, or some power in some portion of the globe was not in a state of hostility with this country. But an argument founded upon such a circumstance could hardly be

sustained in justification of an Income-tax; while he could conceive this country to be in a state of peace with all the world, and yet internal pressure on its resources to be so great as to justify a Government in bringing forward such a measure. But to bring forward this vast and gigantic power, which might be most wisely used to meet a deficit of twenty or thirty millions, with all its objectionable machinery, for the purpose of meeting a deficit of merely two millions and a half, was a total misapplication of a power so great and important. It reminded him of a circumstance which once happened to a noble Friend of his who had an elephant sent to him from the East Indies. This elephant was for some time allowed to walk in the gardens. After some time it occurred to the gardener that the elephant might be turned to some useful account, and after the exercise of great ingenuity the huge creature was taught to water the garden and make a little bank in the pleasure-ground. No doubt he did very great service upon a very small scale, and did it too with zeal, power, and efficacy; but nobody thought that his noble friend would have employed an elephant of such large powers with a large establishment of keepers, and all the inconveniences of maintaining him in the garden, for the purpose of enabling him to execute this very trifling duty. All these instances must be judged of not only by their efficacy, but by their adaptation to the ends required. It was upon that ground that he objected to and disputed the propriety of the application of the Income-tax to the present emergency of the country. He would not trouble their Lordships by going into details of the working of this tax. It must be taken as a whole. It was a machinery extremely cumbrous and extremely inconvenient; the act contained a variety of powers which no man could wish to see lodged in the hands of any Government, except in a case of absolute necessity. He admitted to its fullest extent, that if such a tax were necessary, the powers the act gave were also necessary. He was against almost all the amendments that had been proposed to be introduced into the machinery of the measure; because he held that it was not possible to make such a tax as this agreeable. He, therefore, did not object, that the Minister, whose measure it was, had not attempted to do that.

which was an unattainable object—that of endeavouring to make it meet every possible case and instance in which an amendment, or mitigation, or modification of the tax might be proposed. But the objections which he entertained against the tax, and which made him think that nothing but a case of absolute necessity should induce their Lordships to adopt it were these:—First, it was essentially an unequal tax. Even in respect to land—the most prominent and get-at-able species of property that existed—it was not really and justly equal. Everybody knew the different circumstances under which estates were let. With respect to some lands great reductions were made from the rent on account of the great expenditure of capital for embankments, for draining, and a variety of circumstances which determined the real amount of the value to be very different from the nominal amount of its value. But if it was unequal with respect to the landlord's property, ten times more unequal was it with respect to the tenant; for the charge upon him was entirely undetermined by the amount of the rent he paid. The tenant in one part of England, or in different parts of the same county, came into his farm without much capital, depending entirely upon making his rent out of the prolific nature of the land itself. In another part of the country great capital was required to be expended upon the land, for which, of course, he was entitled to a return in the shape of profit; while in many parts of the north of England, and in Scotland, a tenant having a long lease expended half the value of the fee-simple in cultivating the farm for the first few years, depending upon being remunerated by the increased profits during the remainder of his term. And yet upon this increase of profits the valuator under this Income-tax Act might come and take back, in the shape of a tax, that which he had laid out in the shape of capital. Nothing could be more unequal—nothing more unjust. But let their Lordships go a step further; let them go to trades and professions. There again the inequality was more gross than ever. But he would not advert to this part of the subject further, because his noble and learned Friend (Lord Brougham) had, on a former occasion, most eloquently dwelt upon the peculiar circumstances of those who in a state of bad health, and of declining age, and finding their professional

earnings were escaping from their reach, were, nevertheless, by the rigid rule laid down—and he admitted necessarily laid down—obliged to pay the fullest amount on their earliest returns, without having the poor consolation of enabling them to explain their case, because that very explanation would be injurious to them, and deprive them of the benefit which their former reputation had obtained for them. These were briefly his objections to this tax—objections which were inevitable, and from which, from the very nature of the tax, those who had the working of it could not relieve it. What, then, he would ask, was the character of that tax which all admitted could not be adapted to the feelings and situations of the persons who had it to pay? A tax which, if they had it at all, they must have it founded upon a principle of inequality and injustice. There was one more objection to this tax, which was of so obvious a nature that he need hardly dwell upon it, but to which he was sure their Lordships' feelings would readily respond. He meant its inquisitorial nature—a power which ought not to be submitted to, except under a great and obvious necessity. The feeling which made any inquisitorial tax repugnant to the habits of the people of this country was one which he respected and which he considered essentially allied to the national character; and he never wished to see the day when the people of England would submit to the imposition of a tax which, beyond anything that existed in any country, was felt to be in opposition to their private habits and circumstances. He would now proceed to show, and, if possible, convince their Lordships, that nothing but an absolute necessity ought to induce their Lordships to adopt this tax. He would advert to the subjects which he thought would have been preferable—subjects of taxation, or of financial arrangement, either by making reductions or alterations in the duty, and which would have the effect at the same time of relieving the people and of increasing the revenue. Several of those had been more or less under their Lordships' notice. He proposed shortly to advert to them, and more particularly to the articles of corn and sugar. He would not invite their Lordships to a discussion of the general theory of the Corn-laws, or of the state of the corn-trade in this country; but the principle of protection being

adopted, and there being no immediate prospect of that principle being abandoned, he confessed after what he had heard from his noble Friend and others, he could not conceive upon what ground it was expedient that if that protection was to be afforded to the producer why the duty raised should not be productive to the revenue. The object of the duty seemed to be this, that it should affect the consumer, but be of no benefit to the country. On the contrary, he thought that any duty which made food dearer to the consumer, should be, as far as possible, compensated by making that duty contribute to the revenue of the State. To some extent, those who paid the tax would in another way derive a benefit from it. But the Legislature did exactly the reverse. They told the consumer,—“We have taxed your bread, but, mind you, we have done it in a way in which you never will be the better for it.” True, his noble Friend had said that this Income-tax was not to be a permanent financial measure; but, though it should only exist for two or three years, yet there could be no conceivable reason why, during that time, the duty on corn should not be made to contribute to the revenue. Suppose the duty of 8s. a quarter, proposed by the Chancellor of the Exchequer of last year, had been imposed upon foreign corn, a sufficient quantity of corn was introduced into the country during that period that would have produced 500,000*l.* beyond the 700,000*l.* amount of duty which was actually received. This would have contributed to a certain amount towards the deficit for the existing year. He now came to the question of sugar: and here he must say, that if ever there appeared to have been created by the bounty of Providence an article made to be subservient, not in one, but in every degree, to the wants of the community in which they lived, it was the article of sugar—an article which, not being produced in this country, justified a certain taxation being imposed upon its admission, and which was at once supplied from many parts of the world, might be taxed without peculiarly favouring or pressing upon any particular part; while that supply was so large that it would enable them, after taxing it, to see it furnished in such abundance as would meet the constant and increasing desire of the people for that article of subsistence, complying at the same

time with the call of the Legislature for additional revenue. That supply, however, the Legislature had been induced to limit, if not altogether to deprive the people of. It was impossible to conceive how hardly the present law pressed upon the poor cottager and mechanic, who found himself daily deprived by the increasing price of this sole luxury—if that could be called a luxury which was become a necessity, nearly as much so as any article of produce. Their Lordships would be surprised to find that by their laws they had reduced the average consumption of sugar by the poor to a less amount than was allowed to convicts in their gaols. The average consumption of the poor was, for the last few years, 15 lbs. and 28-100ths.; while the allowance to convicts was more than 22 lbs. By a report of a gentleman who had inquired into the condition of the labouring population, it was stated that every member of a poor man's family formerly consumed sugar—now it was only had to sweeten the food of a sick child. All this diminution was the result of a tax upon the consumption of an article which their Lordships were calling upon the people to accustom themselves to, and the use of which was connected with temperance and virtue, and calculated to elicit the warmest approbation of their Lordships. Yes—with their lips they approved, but by their legislation they discouraged them. The result would be, that the people would be drawn back to their former habits of improper indulgence from which the circumstances of the times appeared peculiarly favourable entirely to emancipate them. His noble Friend would, no doubt, argue that the present bill was to contribute to the revenue, which the reduction of the duty on sugar would not do. Now, he believed, that if there was any one thing more certain than another, than any speculation connected with negotiations or schemes of conquest, or aggrandisement of power, it was this, that they might build upon a certainty that large masses of persons would step forward to take off a supply of any article which had become one of necessity to them when that supply was within their reach. Air did not rush with more certainty into a vacant space, water did not flow more unerringly to its level, than the disposition to consume any article of luxury or necessity arose the moment the price was so

low as to make the means of the people adequate to meet that desire. They were not without the most positive proof of this. By accidental circumstances, the price of sugar, in the year 1837, fell 6s. What was the consequence? The very next year, upwards of 400,000 cwt. of sugar beyond the preceding year was consumed in this country. The same occurred in the analogous case of coffee. The increase of consumption always followed a decrease of price. They could not have more positive evidence upon that subject than what was furnished by Messrs. Martineau and Co., two eminent dealers in sugars, and who had had much experience in the fluctuation of the sugar markets in this country. They stated, that when the price was once brought down to 60s. per cwt., they always found a proportionate increase of demand; but when it was below 60s., there was no limit to the increased demand. But what was the effect of legislation? It had always kept the price above 60s. Now, the calculation of his right hon. Friend, the late Chancellor of the Exchequer last year, was, that there might, with as much certainty as anything could be predicated on such a subject, have been expected an increase of revenue to the amount of 400,000*l.* or 500,000*l.* by the diminution in the price of sugar. His noble Friend opposite, (the Earl of Ripon) had adverted only to colonial sugar, but the late Chancellor of the Exchequer included foreign sugar. He did not, however, calculate upon a positive increase by each individual, notwithstanding the increased desire to consume the article. Looking at the increase of population alone during the last ten years, the Chancellor of the Exchequer said, that if he were allowed to bring up the consumption for each individual to the amount it was ten years since, he should realise the additional amount of revenue he had already mentioned. There never was, in his opinion, a clearer case—financially speaking, politically speaking, and above all, morally and humanely speaking—than that by making a diminution by law in the price of sugar you would relieve the public, by bringing within their reach an article which formed a necessary element of consumption with them, and make up a large amount of the deficit which was admitted to exist. He, however, did not wish to do this by an equalization of duties. It was not necessary to do so for

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any of the purposes he had stated. More than that, he did not think they were called upon to do it with respect to the colonies themselves. They had paid a large sum to the colonists: for that he rejoiced; It would be a lasting honour to this country. If the price already paid for the emancipation of the negroes was insufficient, let more be given; but do not continue to punish the people of this country, and keep them in a state of privation out of a supposed regard for the colonies. They, after all, could not supply this country with sugar sufficient to meet the demand. If, during the last eight or ten years' experience they had not been able to maintain themselves against competition, their Lordships ought not to sacrifice the people of England to that supposed exigency. The colonies were now rapidly changing their condition. They had, in many instances, altered their system of cultivation. It had been most satisfactorily stated to him that a free population was able to compete with a slave population. An eminent colonist of Trinidad had lately stated that it was an heretical opinion to maintain the contrary. There was no necessity, therefore, to confine their measures to the exclusive views which some persons entertained on this subject. He was exceedingly glad that his noble Friend (the Earl of Ripon) had abstained from alluding to one argument which had been urged elsewhere. It did his noble Friend honour. It had been contended, in another place, that however expedient it might be, that the people of this country should have a greater quantity of sugar—however expedient it might be that we should have a more extended commerce—however desirable it might be that by means of a sugar trade the revenue of the country should be increased—we ought not to enter into any commerce with those views while a state of slavery existed in any country where sugar was produced. What the reason for that was he knew not. What there was in existing circumstances and what there was at the present time, as a ground for abstaining from commercial intercourse, he knew not. Nor could he understand the sort of conscience which flitted over the budget—which now appeared, and which now disappeared—which now showed itself, and now again altogether withdrew. For was not the budget made up of articles manufactured by slave-labour? Let their Lordships

fancy the sort of dialogue which might be carried on between an English Ambassador and a foreign Minister, if the arguments of these very sensitive people were listened to, and their policy acted upon. Of course the English Ambassador would commence by expressing his opinion of the value and importance of commercial intercourse between his country and the country which the Minister was representing. But he then would proceed to descant upon the horrors of slavery, and would wind up his harangue by declaring that his country could not enter into commercial intercourse with a State which tolerated such horrors. What, then, would the Minister say? He, of course, would naturally say, "Oh, then, you won't take our cotton?" "Oh, yes, we will take your cotton, because we have cotton-merchants, and they require it." "But, then, you will not take our sugar at all for any purpose?" "Oh, yes, we will take your sugar, because we have refiners, and it is only when the article gets into general consumption, and increases the comforts of the lower orders, that we raise the objection of its being the produce of slave-labour." This must be the sort of dialogue carried on between the parties; and the South American or Brazilian Minister, though he had not studied in the schools and was no profound logician, would be able to understand such arguments as these. Though he did not know the details of our budget, and was not aware that the only foreign sugar which entered into the English market—that of Cuba—employed the greatest amount of slave-labour, yet he would be surprised at the consistency of the greatest, wisest nation of the earth. But, in saying what he had said, their Lordships must not think him indifferent to the great object of effecting the emancipation, or, rather, of seeing effected, the emancipation of all the slaves throughout the world. But, that great object was not to be accomplished by threats of that description. It only could be gained by the moral example which England should set the other nations of the earth; and by showing to them the efficacy of free-labour. If other Governments applied to them their own arguments, what would their Lordships, what would the Government, what would the public say? Within the last year had occurred—within the last few weeks they had heard, for the

first time, of atrocities and cruelties committed within this land, which equalled, if they did not exceed, the worst horrors of the worst of slavery. Such practices had been resorted to within the mines and collieries of England as might teach a hateful lesson of brutality to the most practised slave-traders. And yet, what would their Lordships think, if the French government directed the ambassador of that country to communicate to the noble Lord at the head of the Foreign Office, that France could not continue any commercial intercourse with England unless she no longer allowed and promised, under a certificate signed by the Count de St. Aulaire, to allow her own children to creep with manacles through her collieries and her mines. What indignation would their Lordships feel, and justly feel, at such an attempt to interfere with the social system of another country? and yet that was the course which they themselves recommended—that was the course which they themselves adopted. That was not the way to accomplish their object—that was not the way to put down slavery in foreign lands. The only way was to show to foreign governments and to foreign people the blessed advantages of their own beneficent sway. If a homily upon the horrors of the slave-trade were issued from the Foreign Office, and that homily were accompanied by a statement of the fact, that free-labour had been proved to be more effective than slave-labour, the homily would do no good; but the practical illustration would do every thing. He thought, that he had stated sufficient to show that no time ought to be lost in effecting a change; and he hoped that the change, if made, would relieve the country from her present embarrassments. Almost exhausted, he would with brevity allude for an instant to the article of timber. The plan which had last year been proposed by his right hon. Friend, the late Chancellor of the Exchequer, had formerly been advocated and supported by his noble Friend opposite (the Earl of Ripon) and other Members of her Majesty's Government. If they had consented to that proposal, and had taken Norway timber, which always regulated the price of the timber trade, they would not only benefit the consumer by obtaining the article cheaper, but a saving would have been gained to the revenue of not less than 600,000*l.* Taking it by

itself, he admitted, that the proposed change of the Government was better than the existing duties. It was better to take away the duty altogether than allow it to remain as it at present was. But they might, at the same time, have benefited the consumer and relieved the embarrassments of the country. They ought to have considered her present situation, and the benefit of a total remission of duty ought to have been postponed for more prosperous times. If they had availed themselves of all the means in their power of increasing the revenue, and had still found a deficit remaining, the deficit which they then would have had to supply would have been a very different thing from the deficit which they now had to supply, and for the smaller deficit—if any at all had existed—he would willingly have consented to the Income-tax. But he at all times preferred a tax which was self-imposed—not by that meaning imposed by the representatives of the people, but imposed by the people themselves individually, in deciding for themselves what articles they ought or they ought not to consume. Holding these opinions, he had brought forward the motion of which he had given notice, and in doing so he had not referred to the popularity or to the unpopularity of the measure for the sake of bringing any charge against her Majesty's Government. Many of the measures which the Government had introduced he approved of, and not only he, but those with whom he generally acted. This was proved by the support which they had given to the Ministerial proposal with regard to corn when that measure was being attacked and resisted by the friends and supporters of the Government. On other measures of finance he expressed his own individual opinion, and was alone responsible for the motion which he now begged to submit to their Lordships. The noble Marquess concluded by moving,

“That while this House is unwilling to obstruct the progress of measures calculated to supply the present deficiency of the public income, and make it fully adequate to meet the public charges, it cannot refrain from recording its opinion, that a judicious alteration of the duties affecting corn, sugar, and timber would have greatly diminished the amount of additional taxation required by the exigencies of the State, and would, at the same time, from its effect in increasing the comforts of all classes, and lessening the privations of the poor body of the people, together with such

additions as might have been obtained from some other sources, have been preferable to a tax upon income, in the present circumstances of the country.”

Lord Colchester wished to offer a few remarks upon the subject of sugar, which had been adverted to by the noble Marquess. The noble Marquess had adverted to the high price of that article, and to the great denial of comfort which was in consequence imposed upon the lower classes. The great object of the noble Marquess was increased consumption; but that object could not, according to the noble Marquess, be obtained, unless a very considerable reduction were made in the duty on foreign sugar. It was upon this point of the noble Marquess' speech to which he was anxious to speak. The noble Marquess assumed that our own colonies and our own possessions beyond sea could not produce a sufficient quantity of sugar to meet the consumption of this country, supposing that consumption were brought up to the standard of former years. The noble Marquess had referred to a communication from a high authority in Trinidad, showing the absurdity of the statement that so large a quantity of sugar could not be produced by free-labour as by slave-labour. He was quite ready to admit the proposition of the noble Marquess as confined to sugar raised in British India, or in those foreign countries where no fresh importation of slaves could take place; and he held in his hand a letter from a gentleman residing in Barbadoes confirming the noble Lord in this respect, and stating that he (the writer) wished it was more generally understood in England that the falling-off in the produce of sugar in the West-India islands, during the last four or five years, had been occasioned not by the transition from slave to free-labour, but by the droughts which, during those years, had prevailed in those countries, and that there was no doubt that the produce would be as great in future years as it had ever been. The equalization of the duties upon rum and sugar the produce of the East and West Indies would also contribute materially to increase the supply; and he for one entertained no doubt that there would be an importation of sugar from our own possessions more than sufficient for the consumption of this country, at a price of not more than 60s. per cwt., and that without any such alteration in the duty upon foreign sugar as had been

suggested by the noble Marquess, and which he believed would have the effect not of increasing but of lessening the revenue. With regard to the competition between free-labour and slave-labour, he wished further to observe, that with those countries in which slave-labour was not extinct, and in which a continued importation of slaves took place, as was the case with the Brazils and Cuba, it was impossible for free-labour to compete, for in those countries the question was merely as to the quantity of sugar which could be raised within a certain time without any reference to the sacrifice of human life in the cultivation of that sugar. It was said, that it was necessary to afford facilities for the introduction of Brazilian sugar in order to preserve that market for our manufactures, but we had no security that they would take our manufactures in exchange for their produce. It was well known that the ships which took supplies from the United States into our West-India colonies, took away in exchange for those supplies, not the sugar the produce of those islands, but gold, with which they proceeded to Cuba and there purchased their sugar. The same thing might happen with the Brazils, they might take gold from us for their sugar, and go to France or to Belgium and purchase what they wanted.

Lord Brougham was desirous of taking that early opportunity of stating to their Lordships the views which he still entertained, and which the reflections of the last two months since he brought the subject before the House, had tended to confirm, upon this most interesting and important question, interesting not only to the Government and to the finances of the country, but to the comfort and well-being of the people; and he was the more anxious to take that early opportunity of doing so, having the misfortune to differ in some points from his noble Friend who had so recently addressed the House; for he felt, that he should not do justice to his noble Friend, or to his own opinion, if he did not at the earliest possible moment, endeavour to remove the impression which the speech of his noble Friend must have made upon their Lordships, with respect to those points on which it was his misfortune to differ from him. It formed no subject of difference, that his noble Friend should have expressed again on that, as both of them had expressed on

other occasions—the strongest—in his noble Friend, the almost invincible, and in his altogether invincible—repugnance to this impost. He agreed with his noble Friend, in all his comments upon the inequality of its tendency—its inability faithfully and effectually to perform its office of abstracting money from the pockets of the community—abstracting, as it did, unequally, unjustly, and oppressively, and above all, he agreed with his noble Friend in the opinion he had expressed of the inquisitorial—necessarily inquisitorial, he admitted—nature of such an impost; and there was one inequality which his noble Friend had omitted to consider, which more than all the rest gave him a repugnance to such a measure; that was its great power for all purposes—not merely like the elephant to which his noble Friend had referred, with a proboscis so sensitive, that it could pick up a needle, but that it was also equal to the tearing up of a tree, or the splitting of a rock—it was a weapon so powerful, that he could not consent to place it in the hands of any Government, as a regular and permanent financial resource. It was a resource to be confined to times of extreme exigency, a resource the employment of which absolute necessity alone could justify; but as a means of ordinary revenue, it was open to all the most serious objections, that could be urged against such a weapon. Whether the Government were one which he distrusted, or whether it were one in which he reposed the most entire confidence, it should not with his consent have in its hands a power which would enable it by the mere stroke of a pen at any time, to raise any sum of money it might please to demand, and to impose any amount of tax which it might consider the people could bear—to increase, merely by the turning of a screw, in this well-conceived engine, 100,000*l.* or 200,000*l.* to 10,000,000*l.* or 20,000,000*l.* or more. He repeated, that this was a power—a temptation to extravagance—which he would entrust to no Government, except in a case of overwhelming and absolute necessity. Let their Lordships remember what had occurred in reference to the former property-tax. On Monday, the 18th March, 1816, the property-tax was destroyed, though to his noble Friend, it was a matter of almost vital importance to enact it again in any terms, and to any amount, however small, as a permanent or regular branch of financial resource. They had previously to that memorable vote been told by another

noble Friend of his, the late Secretary for Foreign Affairs, then Secretary at War, that his army estimates were reduced to the lowest possible amount, and that consistently with the safety of the State, no further reduction could be made—that they had reached the maximum of economy, and had brought down the army to its minimum. On the 18th of March, the property-tax was rejected; and on the 22nd down came his noble Friend and put off his estimates—and the next week, or the week after, came the new set of estimates, framed in accordance with the new measure of parliamentary liberality, and the consequently altered state of the feeling of the Government. And so would it be again, whatever means of expenditure were at the disposal of the Government, they would spend up to them—the Government should always be kept on short allowance, and its expenditure would always be regulated by the strict watch which was maintained over it by Parliament. When, however, the question was—he would not say national bankruptcy—but when it was between the discredit of the country—going on with a continuing deficit in the revenue year after year—a deficit not diminishing but increasing with each year, and that so clearly and so surely, that the deficit of the year ending in April in each of the two last years, was greater than the deficit of the year ending in January—then it was that Parliament was imperatively called upon, and was absolutely bound, if it did not desert altogether the duty it owed to the country, to exert its power and put an end to a state of things thus going on from bad to worse, and from worse to worst of all—and which, if not stopped in time, must finish with something which might, without any figure of speech, be called an approach to a state of national insolvency. In the propriety of devising a remedy, all, he believed, were agreed. His noble Friend near him had complained that his noble Friend opposite had exhausted himself in demonstrating a number of propositions which all were prepared to grant him. To be sure no man would propose to reenact the salt-tax, or that still worse tax, the tax on printed cotton goods. The question then being, how they were to meet the deficiency in the public revenue, and a growing deficiency, amounting, according to one estimate, to 3,000,000*l.*, and according to the lowest estimate, of 1,800,000*l.*; and which 2,500,000*l.*, if correct, must not be understood as the whole amount of deficiency for the year—for it must be remembered that a very large increase of expenditure would be occasioned by the operations in the east, even if those operations were as successful as the most sanguine of their Lordships could expect—this deficit having to be met, the question was, whether the plan of his noble Friend near him, or the Government proposition of an Income-tax, was the fittest to be adopted—all admitting that an Income-tax was the worst, if the other were possible. His noble Friend's plan was that of the Government of last year, only varied a little as to the sugar duties, which plan was brought forward with a view to commercial legislation, not revenue, and in all respects except as to the sugar duties, appeared to him and others as being calculated to produce a great improvement in our commercial code. But a different view of that plan must be taken when brought forward as a measure of finance alone; for in that case, however good it might be in other respects, if it would not meet the financial difficulty it was not sufficient to prevent their having recourse to an Income-tax. He had already stated that an Income-tax could be justified only by the most urgent necessity, but if his noble Friends behind him had always entertained the same uncompromising hostility to an Income-tax which he entertained to it, and which now induced his noble Friend to prefer any other tax to it, those noble Friends would have adopted a different course in dealing with the proposition; for the obvious course in that case would have been, when the Government proposed their plan, to have resisted it at once, and to have allowed not one single instant to elapse ere they announced their uncompromising hostility to such a plan. But was that the course taken by his noble Friends? Did they oppose this measure when it was first brought forward? By no means: it was brought forward on Friday, the 11th of March; and it was one whole week before they could make up their minds to oppose it at all. That was a fact; nay, when it was brought forward a noble Friend of his (Lord J. Russell) avowed, that although there might be a difference of opinion, and time might be required in order to make up their minds upon the detail of the Government plan, yet that, as a whole, all parties must clearly admit that it was a great plan, worthy of the Ministers of a great coun-



try. But was the Income-tax no part of that great plan? Was it no material portion—was it a mere trifle,—and a thing to be passed over without even a word? His noble Friends could not dispute the accuracy of his quotation; for he could assure them those were the words in which the opposition to the measure were expressed; and he was never more surprised in his life, for, remembering the feeling always entertained towards this tax, he at least expected that not one moment would be lost to cry out against the abuse of it and its details, and to regard it as an enormity, to be palliated only by the extreme urgency of the necessity, and to endeavour, by all possible means, to reduce its mischief within the smallest possible compass. But the general approval of the Ministerial plan as a great measure, worthy of the Ministers of a great empire and nation, was all the resistance that was offered; and not even a protest was made against the plan until a week had elapsed from the moment of its being proposed. However, on Monday, the 14th of March, an opportunity was given to his noble Friends to reconsider their rash admission of the preceding Friday; and he took the liberty of coming to that House, and in his place moving a set of resolutions upon this whole question. Now it might not be necessary for his noble Friends to agree to all his resolutions; they might take a totally different view of the first of them, in which a statement was made of the evils of the tax, and an assertion that nothing but absolute necessity could justify its imposition; they might differ from that, and hold that no necessity could justify its imposition; or they might deny another of the propositions, which averred the existence of that necessity, and state, as his noble Friend had done to-night, that it was not necessary, inasmuch as there were other means of providing for the deficit, without having recourse to this tax. They might agree with or dissent from the other proposition that he brought before their Lordships, stating the necessity of altering the tax as it had been formerly laid on, and making it more equal upon various kinds of income. But the propositions were laid on the Table on Monday, and the consideration of them put off at the request of one noble Lord and another until the Thursday following. Time was therefore given to his noble Friends to have at length made up their minds whether the Income-tax was to be opposed or

not; but even on the Thursday, when the debate was brought forward, and when the statement, of which his noble Friend (Lord Lansdowne) had spoken in terms of far too great commendation, was made by him to their Lordships in moving the resolutions—even then his noble Friends had not made up their minds on the subject, for they were not prepared to announce any opposition whatever, and his resolutions were of course negatived without a division. Now, something happened on that day, or early the next day, which showed that there was an appearance of some agitation in the city upon one question connected with the Income-tax. A meeting had been held of bank proprietors on the subject of terminable annuities, and the very great inequality of this tax was pointed out as one of the most crying evils, and to which the most serious objections existed—namely, that terminable annuities were taxed to the same amount with perpetual annuities and other permanent property. That feeling had been expressed in the city, and even then his noble Friends were not prepared to form their opposition; for if they had been, excitement would not have been wanting to produce it in that House. Although the agitation in the city produced no effect here, it was announced the night afterwards in the other House, that there was an intention to advance an opposition to the measure. But, notwithstanding all the arguments which his noble Friend had now brought forward, and so eloquently supported, and the reasons he had given against this tax, he had still avowed his intention not to throw any obstacles in the way of the passing of this bill. Therefore, he could not help thinking that the difference between him and his noble Friend on this subject was not, in reality, so great as it seemed to be, and that he did not entertain a much greater aversion to this tax than himself, holding it as he did, in as great abhorrence as it was possible to hold any measure, provided a possibility existed of avoiding the imposition of it. Now then they came to the question of the existence of that possibility, and the first thing proposed by his noble Friend (Lord Lansdowne) was a tax upon bread. 1,700,000*l.* was to be raised, leaving only a deficit of 800,000*l.*, and to make up that sum every person must think that a measure of this sort was out of the question. Was there any chance of raising that sum by the tax proposed by his noble Friend? He would at

once declare that he was here at issue with his noble Friend, for he did not regard the measures of last year as anything like measures of finance, and it was utterly impossible any one could entertain a contrary opinion after considering of what they consisted. In the first place, there was a tax of 8s. fixed duty upon corn. It was said, that 900,000*l.* would arise from that tax; but how was it to arise? Provided there was a certain quantity of grain imported in the year, so much duty per quarter was to be levied upon it, but if there were no grain imported there would be no levy of money and no duty received. Then what became of the 900,000*l.*? But he did not want to have the chance of obtaining revenue—not a ticket as it were in the finance lottery, giving a beneficial chance of having 800,000*l.* or 900,000*l.*, or of not having it, according to circumstances. He did not wish to run the chance of having 900,000*l.* this year, and 500,000*l.* next year, and perhaps 300,000*l.* another year, and nothing at all the year after. The deficit in the revenue was not a matter of chance, it was always pressing upon them whether the seasons were good or bad, and it was to supply that deficit that they were now reduced to the necessity of finding out a means of taxation not contingent, not accidental, not of the hap-hazard kind, which might either be great, or middle-sized, or little, or nothing at all, according to the circumstances of the year. And what were those circumstances?—anything very steady, anything very much to be relied upon, anything very safely and securely to be looked forward to by statesmen intrusted with the most delicate, difficult, and important part of a nation's concerns,—the management of her finances, the support of her credit? No, it was something neither more nor less steady, nor more nor less to be relied upon, than the proverbially steady, fixed, calculable winds, and rain, and storm, and floods—in one word, the weather of the year in this kingdom. Come a bad season, and they had the importation; come a moderate season, and they had little or nothing imported; come a good season, and they had absolutely nothing imported at all; and with all that jeopardy, and the supply failing when, perhaps, they wanted it most, they were asked to build upon this foundation their hopes of a permanent, steady, and regular supply of nearly 1,000,000*l.* sterling. Then there was another thing to

be taken into the account. When there was a bad season here, and grain and food were dear, corn would, no doubt, be imported, and the 8s. duty be levied, and thus the revenue supplied; but was there nothing to set-off against that? It was just in a year of such a sort that the excise was likely to be deficient, because the higher the price of food the less able were the poor to indulge in those articles which formed the subject of the excise duties, and accordingly in that year when they had the greatest chance of receiving a supply to the revenue by the fixed duty on foreign grain imported came the deficit in the supply of the excise, and they must set-off that deficit against the paltry sum that the impost would bring of a duty on the importation of foreign corn. When, therefore, there was a chance of one portion of the revenue being benefitted there was a certainty of a deficit and a greater in another portion. He and several of his noble Friends had, however, contended that they had no right to lay on this tax, because it was a tax upon the food of the people, and to all intents and purposes a bread-tax—a poll-tax laid upon the rich and poor equally, for all were equal consumers of food. Yet they were now called upon to take it and to rely upon it as a permanent, constant, habitual portion of the revenue. Now he had said, that the measures of last year, with a view to commercial legislation, appeared to him to be very considerable improvements. He preferred the fixed duty of 8s. to the former state of the law, and he thought the sliding-scale would be no improvement upon the fixed duty, but as a measure of finance he fairly stated his opinion, that he did not think it was originally intended as such. And in support of that opinion, he would quote the remarkable words of a right hon. Friend of his,—words of which any one might envy the eloquence, and no one could surpass the candour—

“That the Government of last year brought forward the measure of the Corn-laws urged by the importunity of their friends and goaded by the taunts of their adversaries.”

The words were not his—he did not trench upon that ground—*tractent fabrilia fabri*—but they fully bore out his opinion that the Corn-laws were not brought forward as a measure of finance. He would now come to the second proposition as regarded the sugar duties. He cared not whether they took it as these duties were originally proposed—namely, 24s. a cwt.,

or as the proposal had been now modified—36s. was to be the duty on foreign sugar, reduced from 63s.; there was the same per centage of differential duty. Now precisely the same principle applied to the sugar duties as to the timber duties when the protecting duty was reduced from 150 to 100 per cent.—namely, by taking off 5s. from the duty on Baltic timber, and adding 10s. on Canada timber, or rather increasing it from 11s. 6d. to 21s. 6d. He entirely differed from the view taken by his noble Friend (Lord Lansdowne) with respect to the sugar duty, and wished to enter his protest against the opinion his noble Friend had pronounced before their Lordships, unless his noble Friend confined that opinion to the question of slavery, and of slavery alone, as contradistinguished from the slave-trade. [Lord Lansdowne had made the distinction, and stated that he did not allude to the slave-trade but to slavery.] He was certain that he and his noble Friend could not entertain different opinions on that subject, but he thought the admission entirely disposed of the argument with regard to the sugar duties. They were now to reduce the duty on our own colonial sugar to 20s., and on foreign colonial sugar the duty was to be reduced from 63s. to 30s., taking off 33s.; and it was expected, that the protecting duty being no longer 162 per cent., but 50 per cent., a large amount of foreign colonial sugar would be imported into this country. Now, he should show to the satisfaction of his noble Friend and the House that the refusal to equalize the sugar duties was not made to protect the colonies, but to afford protection to the African negroes against the African slave-trade. It was mighty well and easy to talk of commodities, and of importations, and of duties, and of lowering the foreign duty, and of keeping our colonial sugar at the same rate, and by a differential duty increasing the amount imported, and of adding to the comforts of the people, and giving them what before was not within their reach—all these were fine smooth phrases; but if the House looked beneath the surface—if they paused, and asked the meaning of all this, and what lurked beneath these expressions depicting the smiling aspect of increased produce, and larger consumption of the whole people, they would find that it was meant that some 20,000 or 30,000 or it might be 40,000 unhappy Africans were to be instantly taken from Africa, and sent forward through all the horrors of the middle passage to culti-

vate Cuba and the Brazils. That was the meaning of this plan of finance. It was not a remote or a contingent, but the absolute and inevitable result of a change of duty. This was no question of preference of slave-grown sugar over free-grown sugar. If it was he should agree with what his noble Friend had stated to their Lordships. He might lament, but he could not help other nations cultivating their fields by slave labour. But those who knew anything of West-Indian affairs must be aware that there was a wide difference in the condition of the unhappy cultivator of sugar and that of the producer, even of coffee and cotton, much more of corn. The slave-trade was no institution—it was not to be ranked with any institutions of any country. It violated the laws of nature as well as nations, and instigated one nation against the other. If the duty was lowered, and our ports opened, the demand for Cuba and Brazilian labour would cause, as a matter of necessity, negroes to any amount to be poured into those colonies and that kingdom for the purpose of supplying the demand which we should thus occasion. He held it to be an inevitable consequence, that the instant the duty on sugar was lowered, 40,000 or 50,000 negroes would be taken from Africa to endure all the horrors of the middle passage and be hurried away to the West-Indian colonies. Every additional hogshead meant and caused an addition to the slave-trade. On a former occasion, he stated his objections to the present bill, and if he should not be exhausting their Lordships, he would repeat a few of them; although he was afraid, that under the existing system, any attempt to make any alterations in the bill in that House would be hopeless. If their Lordships would look carefully into the arrangements of the bill, they would be convinced, that there were matters involved, which although it might be vain to think of altering in that House, might not only be advantageously altered, but must be, to allow the measure to work. There were portions of the bill relating to the levying of the tax, which he was satisfied, when their Lordships had calmly applied their minds to them, would be found to require alteration. But that House could not alter them—it was too late—and there was no alternative between adopting the bill as it stood in this respect, or throwing it out. This fact showed how expedient it was that the House should have come to some

understanding on these matters, as he had formerly moved, and that it should be suggested to the other House to relax in their exercise of that high privilege which they claimed in all their proceedings relating to money. He would now name one or two of his objections. The first part of the bill, and the foundation of the whole measure, provided for the appointment of commissioners—those who were called commissioners for general purposes—who had in the first instance to work the measure, though certainly, as the bill stood, in a way most unintelligible. But he begged to assure his noble Friend, that in his observations he did not wish to act invidiously towards the authors or framers of the bill. His observations would have reference to a more general and a higher principle, one which was essential to the fit performance of the legislative functions of the two Houses. Now, the land-tax commissioners were to meet, and to set down in writing the names of such of the commissioners appointed as should be qualified to act as required by the bill, and to set down the names of those persons chosen to act. Any seven of the whole number—not less than seven, and in no case less than three of the persons set down in order—were required to take upon themselves the execution of the act. Now, let it be observed, that if on any exigency a mandamus was to be issued, or indictment preferred against a commissioner refusing to act, how was he, amongst three, or seven, or thirty-four, to know that it was against him that they were directed? And how was the name of the person to be ascertained? Again, if a person were absent, there was no notice provided, and the clerk was not called upon to deliver any. So that being absent from the meeting, he was to have no notice from the clerk, and yet was liable to be moved against by mandamus, and indicted for failing to take on himself the duties. It went on—

“Provided always, that where seven persons qualified to act as herein required shall be chosen to act for any district, no other person shall interfere as a commissioner.”

What if there were only three? The 6th clause was,

“And be it enacted, that in case there shall not be a sufficient number of commissioners chosen.”—

They might be chosen to act as commissioners, and it was not said by whom they

were to be chosen. Then came the 8th section, and the requisition was still more stringent. It was,

“It shall be lawful for the commissioners appointed to execute the said Land-tax Act, being respectively qualified as directed, and they and every one of them, not in any case exceeding the number of seven, are hereby strictly enjoined and required to take on themselves forthwith the execution of this act;”—

or notice of such neglect and want of appointment was to be given to their clerk, with no provision that the clerk was to give them notice. So that they were strictly enjoined to find that they were any persons not less than seven; and they were strictly enjoined to act upon a notice, which they were not to receive themselves, but which another person, who was not to communicate it to them, was alone to receive. As to courts of justice, the 30th clause provided, that the Lord High Chancellor, the judges, and the principal officer, or officers of each court, or public department of office, civil, judicial, criminal, or ecclesiastical, should respectively have authority to appoint commissioners. How was that to be executed? Was it the Chancellor, or Chief Justice, or the Chief Justice and one of the masters, or the Chancellor and Chief Justice, and principal officer or officers? So that if they happened to be sitting the clerk of the rules might come and say, “Why don’t you admit me to your council; I have as good a right to appoint as any of you.” The commissioners were treated as if they would decline acting, but no effectual provision was made for that event. It was assumed, that nobody would like to execute the powers of this act, whereas he thought there would be found too great a disposition to execute some of its powers. Without its being specified where they were to meet, a provision was made by which any two or more of the commissioners for general or special purposes, or any other commissioners, were to be enabled to execute all instruments, to do all acts, and execute every power. Any two commissioners might act. There was no provision who were the persons to be present. What was the consequence? He went and he claimed an exemption of two; they refused to give it. He went to another two—any two might execute the power—and they signed a certificate which was binding on the commissioners

for special purposes; they were bound to issue a warrant which was binding on the receiver-general of the taxes, and he was to honour the warrant and pay the money according to the certificate. Therefore, having been refused exemption by the general body of the commissioners, any two of the commissioners was entitled, by the 191st section, to give the exemption. The last circumstance to which he wished to call their attention (he had passed over many), related to persons in the situation of trustees, agents, guardians of infants, committees of lunatics. They were all, by the 44th clause, entitled to deduct from the means of the infant, *cestui que trust*, principal in the care of agent, or lunatic, coming into their hands, whatever sums they had been assessed at, and they were indemnified. But then came the 61st, 165th, and other sections, by force of which, if a person had not been so assessed as to enable him to deduct, he was to be entitled, after the expiration of a year, to obtain a certificate, and to be repaid the money which he should have advanced. The guardian of the infant, or committee of the lunatic, might go and claim at the expiration of the year: they received the warrant and certificate of the commissioner; they went with the warrant of the special commissioner to the receiver of taxes, the receiver was bound to pay them the money, and there was not one tittle of requisition calling on them to account for the money to the estate for which they were guardian or trustee. If they put the interest into their own pocket, they had absolute and complete indemnity whatever sums they had been allowed. The 166th section was worth attending to with this view. It was,

"Whoever shall fraudulently be guilty of any fraud or contrivance in making any such claim, or obtaining any such exemption, or whoever shall fraudulently conceal 'or' (not 'and') untruly declare any income."

Not fraudulently, not falsely, but untruly, in *optima fide*, believing it to be so,

"Shall be fined 20*l.* and pay the duty chargeable, making 35*l.*"

That was if he was the principal; but how was the accessory to be dealt with? He who aided or abetted in this untrue declaration was fined 50*l.* The same observation as to the division of the bill into two parts, which he had already made, applied to the only other matter to which he would call their attention, viz.—those parts of

the bill relating to oaths. There was schedule F, containing five forms of oaths, to be taken by various functionaries and officers. Of late years great improvement had been made in bills which had passed through their Lordships' House, by reducing the number of oaths as far as possible, and substituting declarations for oaths, wherever it could effectually and safely be done. He had no doubt that if this bill could have been divided, that schedule would have been entirely changed; that oaths would have been struck out, and declarations substituted. Last of all, the examination of persons on oaths which was provided for in the 124th section, and all that exacerbation of the mischief, and all that was odious and intolerable, might have been left out. He particularly alluded to the 125th section,

"That it should be lawful for the commissioners to summon any person whom they might think likely to be able to give them evidence respecting the assessment to be made, to appear before them and to be examined respecting the assessment made on any other person."

Neighbours, friends, relatives—all but one excepted class, viz., agents or confidential trustees—might be called before the commissioners and examined into their whole circumstances and mode of living. The conclusion was lame and impotent, for by paying 20*l.* a man might avoid all examination. Some persons would rather undergo the examination than pay the penalty. He made no doubt that some persons in every neighbourhood would be found too ready to lend themselves to the inquiries of the commissioners, and to give all the information which they had, or thought they had, respecting the affairs of their neighbours. But solicitors might be examined as to the amount of money they had paid to counsel. Correspondents of merchants might be examined as to all that passed between them and their mercantile correspondents. Consignees of merchants in the same way might be examined as to the most delicate affairs of their consigners; tradesmen, as to the affairs of their customers; customers, as to their expenditure, payments, when they paid their last accounts, how much money was due, how much debt there was of A B in the books of C D. There was no confidential trust between a customer and a tradesman, therefore these parties were not protected. A banker was not a trustee; he was merely in the nature

of a shopkeeper who kept a shop, and the banker might be called before the commissioners and examined touching the nature of the account; the son might be examined as to the father, the father as to the son; and all this the commissioners not only might, but were somewhat in duty bound to undertake as often as there was any doubt on their minds respecting the accuracy or fulness of the disclosures. Now, having the opinion which he had already expressed of the absolute and unavoidable necessity of this measure—being quite aware that pass it must—for what purpose did he urge these observations? Not in the light of hopelessly objecting to the measure, not to prevail upon their Lordships to do that which it would be hopeless, even if he felt that there was not a necessity for passing it, to prevail upon them in this stage to do—viz., reject it; but for the purpose of again reminding this House of the consequences of the rule being so rigorously adhered to which excluded the revision and correction in this House of the most important legislative acts that came up from the other House of Parliament. He said that it was no self-laudation in this House, or in a Member of this House, to assert, which he most confidently did, that in this House, by its constitution, by the manner in which its business was transacted, by the manner in which it was composed, having within its walls not only the statesmen who adorned this country, and who had so long and so eminently served it, not only men of all other professions—if he might speak of a statesman as carrying on a profession—but the sages of the law as well as statesmen—the judges who presided in the tribunals of the country, who were best versed in its laws—the House itself being a high judicial body as well as a branch of Parliament—that in a place of an aspect like this all the arrangements of the bill could be more accurately, more safely, more fruitfully sifted and corrected by their Lordships than by the other House. And what precious advantage was thrown away, what great risk of error was incurred, what constant pitfalls were laid by the other House of Parliament to surround and beset its own steps in legislation, by insisting on their Lordships' positive and absolute exclusion from all share in perfecting by correction the most important measures. He had no more doubt, than that he was now addressing their Lordships, that if these and other clauses,

to which he had taken leave to direct their attention, had been embodied in a separate bill, or if they had been suffered to enter into an examination of those which they had not the power of examining, the result would have been very different although he could not say that it would have had the effect of making this measure much better or much more palatable; for when he looked at the mass he was disposed to agree with his noble Friend's character of it, who shrunk back with horror at its huge bulk—at the hideous aspect of its arrangements—at the odious nature of its details, to which he might add its darkness and obscurity, in all the particulars to which he had directed their attention.

"*Monstrum horrendum, informe, ingens, cui lumen ademptum.*"

They would, however, have purged the measure of some of its defects—they would have cleared it of its obvious errors, and made it more certain to raise the revenue required. If passed in its present form it would not be sanctioned—it would not long be tolerated by the people of this country.

Viscount Melbourne: In the consideration of this measure, I must say, that I entirely agree in the observations of my noble and learned Friend which he made at the commencement of the address to your Lordships, which he has just concluded, and that is with respect to the paramount importance of this measure. It is a question of very great importance—of much greater importance, in my opinion, than any which has been submitted to your Lordships for many years—years which I must say have not been unfruitful in great and important measures. It is a question which involves not only the means of meeting the present difficulties of our financial position, but which involves also the future stability, the future power, the future security, the future dignity of this country; and I should say that, considering all the questions which have been submitted to your Lordships' attention since the great question of reform in the representative system in Parliament was carried, there is no one which does not sink into comparative insignificance when compared with that now before your Lordships' House. It is a question, therefore, into which no party feeling should be allowed to enter, and with regard to which no consideration of any former or pre-conceived, or pre-delivered, sentiments should

have any weight—which should be considered on its own grounds with reference to the existing circumstances of the times, and of the country, and with a view to the present advantage and well-being of this great community. Therefore, I shall take leave to consider this case, I trust not at too great length, but in doing so I must trespass upon your attention so far as to consider it in some degree in a general point of view. My noble and learned Friend who has last spoken is himself in rather an awkward position in reference to this question—at least, if I may judge from the vigorous struggles which he made to clear himself from the position of difficulty in which he stood. My noble Friend was a great leader of the Opposition to this tax in the year 1816—he was its most active opponent—he covered it then with invective, and he now comes forward under the character of a supporter of this measure, and in that capacity he seems to experience some little difficulty. In the former case, he covered the measure with the utmost invective, but he gave it his opposition—he persists now in his invective, but he gives the measure his support. I cannot help thinking that he has a little overdone this matter in the way of invective, and he should have deliberated a little before he gave this character which he has given it, both in the resolutions which he proposed to this House on a former evening and in the speech which he has made to-night, because, if it is indeed so frightful and odious a measure as he has described it—if it is the *monstrum horrendum* which he has pictured it to be, I do not think he has made out a case which justifies him in giving it his support. I have the misfortune not entirely to concur with my noble and learned Friend in either view which he has taken of this tax at either period of his life. I do not feel so certain as he does that he rendered so great a service to his country in successfully opposing the Income-tax in 1816 as he seems to suppose; nor do I now see the complete necessity which he states for this bill; nor the entire insufficiency of those other measures which were proposed when I had the honour to hold office, instead of this tax, so as to justify him in the support which he is giving to this bill. In the resolutions which the noble Lord laid on the Table of the House he did not state the opinion which has been generally stated, that this tax ought not to be

imposed in time of peace, and that it should be entirely reserved for times of war. My noble Friend has stated his proposition in a manner in which I more fully and completely agree. He states that it is a tax which should not be imposed except in times of very great emergency; but I do not see that that is a peculiarity which belongs to this tax. No tax should be imposed except in times of very great emergency—no duty which greatly affects the price of any article of consumption, and therefore affects the community at large—no tax which affects the price of any commodity necessary for supplying the wants of the people should be imposed, unless there should be an absolute necessity for its imposition; and as it should not be imposed, so should it not be continued one day beyond the time for which it is absolutely requisite. But, it will be said that there is a great difference between the emergencies of peace and those of war. The greatest difficulties which have ever befallen nations, however, have fallen on them in times of profound peace. We all know very well that the great rebellion—the insurrection in England which terminated in the overthrow of the throne of this country, befel us not only in the time of profound peace, but at a time of the utmost general commercial prosperity. The great Revolution of our own time—the greatest calamity which ever befel the world—the revolution of France, fell on that country, not at the moment of war, but at a time of triumph, when circumstances had arisen which had been most humiliating to this country, and had given to France a position in Europe which she had never before enjoyed. And your Lordships must recollect that a calamity of this description is more likely to occur in time of peace than during a war; there are two great causes likely to produce financial difficulties—great expenditure of that which should be appropriated to the payment of your debts; secondly, the abuses of the times of peace—the abuses of credit and over-speculation, which often produce consequences as serious as those of war; but these calamities, in his opinion, were much more likely to fall on a nation, and generally did so, more decisively and more severely in the time of peace, than at a period when the country may be engaged in hostilities with another nation. It has been considered so from ancient times, and it has been stated by ancient poets that war had been often sought for, to get rid of the

consequences of a long protracted peace. With regard to many of the objections raised by my noble and learned Friend to this bill, I entirely concur. I think that this is a tax which has many advantages, and many disadvantages. It is no small point in its favour, I think, that it effects its object, and that it will raise that amount of revenue which it professes to be able to raise, but whether it raises it by means which are so good as to be altogether safe, is a question which remains to be discussed. It cannot be denied that it is a duty which, above all others, is the cheapest of collection, and that it puts more money into the Treasury in proportion to the expense of its collection than any other tax which has yet been devised. That certainly is not the case in reference to all its details, because the cost of collecting the  $2\frac{1}{2}$  per cent. is as great as that of the collection of 10 per cent.; but at the same time I think, that compared with any other duty, it is preferable as regards the expenditure of public money at which it can be levied. It is undeniable, also, in my view, that this is a tax which falls on the poor with very great weight. Though it is actually, and in point of fact, paid by the rich, yet in effect it falls upon those who depend upon the rich for support, and whose means of support are, therefore, diminished in proportion to the reduction of the income of their superiors. Impression in matters of this sort is undoubtedly of great importance, and upon that view the adoption of this tax is perhaps, an important and a desirable measure. It is a tax which will be paid by persons of property—they do not appear to feel it, and so also the poor will not perceptibly experience the immediate inconvenience. But I do not view this as being by any means a proof of the goodness of the measure. It has been said of the present Prime Minister of this country, that he did not deceive the people, but that he stood by while the people deceived themselves. I do not say whether that is true or not, but it is very well expressed; and I can easily see what was meant by it. And while people rest under an erroneous impression of what will be the consequences of a certain act, I hardly think it right that such an advantage should be taken of them. People in this case would say, that this tax falls upon persons of property, and at first that appears to be a matter which recommends it, and would produce a feeling in its favour. And I admit that it is an infirmity of the

measure that it presses with great apparent equality on all classes; but after all its unpopularity consists in its equality. Its inequality is the argument raised against it, but its equality the certainty that every one will have to pay, is the cause of its great unpopularity, and at the same time I do not mean to say that it is not liable to very considerable objection. It is impossible to deny that it possesses an inquisitorial character, and that that is a matter which is extremely unfavourable under the existing circumstances of the country; and what I think is a very strong objection to the tax at this moment is, the very strong and bitter feeling of political hostility which it will inevitably engender. Is it possible to suppose, when we see what influence is put in motion, what bitter hostility may exist between man and man on political subjects, that the powers entrusted to the commissioners under this bill, will not be made use of for such purposes. But another great objection to it is, that it will have an unquestionable tendency to drive capital out of the country, which is the only means by which it can escape the operation of the law. There are other objections which have been urged to your Lordships, but to which I do not attach any very great weight. It is said, that the calculations upon which the measure has been introduced to Parliament have been wrongly framed—that you do not want so much money—that under this bill more will be realised than is wanted. But these are complaints which, if they turn out to be well founded, may be very easily remedied. You have nothing to do but to reduce some other taxes, and I think that you need never be afraid that any Government will be otherwise than most anxious to take every opportunity of reducing the burdens upon the people. In the present state of the country, there is no Government which is not anxious to seize every opportunity of reducing the amount of taxation. But it is said, that the tax is one which will engender extravagance, and reference has been made to the year 1816, when the repeal of this tax produced a largely diminished estimate. This certainly was the fact; but the reduced estimate certainly did not stand long, as my noble Friend must recollect, for it was found to be totally inadequate to meet the exigencies and the wants of the country. But I own I am not apprehensive of any danger likely to arise from this source of mischief. If



the Government are extravagant, the House of Commons has the remedy in its own hands—it has only not to recommend that which is extravagant. I fear extravagance, certainly; but it is not the extravagance of Government, but it is that of the fancy of hon. Members of Parliament, of caprice, of taste; and I am not afraid of the extravagance of the Treasury, provided it is only left to itself; and it has no external purpose to drive it beyond the point to which it would go of its own accord. I cannot help thinking that my position on this question is more happy than that of my noble and learned Friend. I stand on this question in a position more unencumbered than my noble and learned Friend, because the first vote which I ever gave in Parliament was in support of the motion of my noble Friend, who was then Chancellor of the Exchequer, for increasing the amount of the tax upon income by 10 per cent. When this matter was discussed in 1816, I was not in Parliament, and therefore having expressed no opinion by my vote at that period, I am, of course, free to take any line of proceeding upon the present occasion which may seem right. I must say, that I do not feel the general objections to this measure so strongly as it is felt by many other persons; but I do not think it prudent or wise to adopt this measure on the present occasion, and under existing circumstances, and in the present state of the temper and feelings of this country, I am very well aware, and have always been so, that the system of finance on which the Government of the country was conducted by my noble Friend, Earl Grey, was not according to strict principle. In that system we trusted too much to the surplus, and by that means imposed fresh burdens on the Consolidated Fund, without taking means to reinforce it by any fresh taxes. I was always aware, that we were not acting according to strict principles, but there are positions of the country in which a departure from principle is the right principle, and that was a view which always governed me in reference to the particular period to which I referred. I think that at that time the country was not equal to such an exertion as that which it is now called upon to make, and that it was safer to introduce the measures which were then introduced, and to trust to time and to the events which were then in progress, rather than to force so strong a measure on the country as that which is now proposed. And that is still my opin-

ion; and it is so on the ground that we introduced those measures which have been already frequently stated to your Lordships. I do believe that it was probable that those measures would have answered the financial purposes of the country—that they would have raised the amount of revenue which was required, and I beg leave distinctly to assure my noble and learned Friend, that they were introduced for financial purposes, and for financial purposes only with a view to meet the difficulties of the country; and, however it may sound to my noble and learned Friend, or to the House, I beg leave to say, that I have no objection whatever to the levying of duties for the purpose of raising a revenue on the importation of foreign corn. I think that corn is a fair and legitimate subject for taxation, and I see no reason why it should not be taxed, and why a revenue should not be raised from it. From the wants of the country there is reason to believe, that the revenue would be not entirely of a certain character, but a great deal more certain than has been referred to by my noble and learned Friend; and although the trade in foreign corn should partake of that fluctuation and uncertainty which belongs to all other foreign trades, I see no reason why revenue should not be levied from it merely on account of its uncertainty. You calculate at present on the revenue to be derived from corn, and I do not see why, because the corn-trade is subject to fluctuation and uncertainty, you should not raise as much revenue from that commodity as you can by a fair import duty, even though that revenue should fluctuate from year to year. Considering the nature of this measure—considering the prejudice which prevails against it, I say, that it is not, in my opinion, wise or prudent to impose this tax on the country until you have first tried every other means of meeting the existing deficiency. You have not shown to the country that those measures were insufficient for the purpose. I think that the emergency is not sufficient—that the peril is not sufficiently imminent—that the case is not sufficiently strong to justify the adoption of such a measure, and I think that you are throwing away and perilling that which may be hereafter of great advantage. If I am asked why I did not propose this measure to the country in 1841, when I held a high position in the Government, I should say as Solon said, when he was asked whether he had given the

Athenians the best laws possible, "No, but I have given them the best they can bear." And I beg leave to express my opinion that it would have been better if you had adopted the measures which were proposed, and which you might have adopted, though you did not do so. We proposed those measures distinctly to the country, and the country decided against them, as we say. You say that they did not decide against the measures or their principles, but against the men who proposed them. That is what has been said a hundred times, but we cannot admit it; but we think that we are still at liberty to consider that decision to be not against those measures, and therefore you might have adopted them. But if all those measures are rejected; if you determine upon pursuing this course, and by this strong measure to raise the revenue, so that it shall equal the expenditure of the country; I say, remember you must persevere in it. You cannot recede from it—you cannot go back again—you cannot abandon it—you must go forward with it—you cannot recede from it with honour or with safety, and though I do not think it either wise or prudent that the measure should be now adopted, yet I beg leave to have it understood that I do not pledge myself not to support the present Government, or any future Government while it may maintain this tax, or even the extended operation of this bill.

*The Duke of Wellington:* I will not now enter into a discussion before your Lordships whether or not the country, in deciding against the measures of the noble Viscount who has just sat down, decided against the propositions of the noble Viscount, or against the men who made them. My desire is to support this measure on its own grounds, and not to consider the merits of men who do not propose this measure, but who proposed other measures, which I certainly think ought not to have been proposed, and which undoubtedly ought not now to be carried, because I am thoroughly convinced that those measures are not inadequate to answer the purposes or to meet the necessities which now render your Lordships' interference necessary. I agree with the noble Viscount that this is a totally different question from that of the year 1816. I think that it has been proved clearly by my noble Friend (the Earl of Ripon) that this is a measure which is absolutely necessary, in order to enable Parliament to meet the deficiency of the

revenue for the purpose of defraying the expenses of the country. The noble Viscount has stated that he thinks that the course might have been taken of laying a duty on corn, upon sugar, and upon timber. At least this is certain, that the produce of the duty on corn would have been very uncertain; but what we want is certainty. We have a certain deficiency to meet, and a certain expenditure to provide for, and we require a certain revenue in order to provide the means of defraying those charges. It is quite obvious that in certain seasons it is possible that no corn might be imported, and that in other seasons very large quantities of corn might be introduced into this country; and no reliance could be placed on the amount of revenue to be expected at one period. In respect of the duty on sugar, my noble Friend (the Earl of Ripon), and my noble and learned Friend (Lord Brougham), have both stated the objections which rest on financial grounds against the alteration proposed upon the importation of foreign sugar; and the noble and learned Lord has stated other objections referable to the slave-trade, which I have always felt to be very strong objections against the alteration of these duties. I have taken a very simple view of this question. It is this. The Government of this country have entered into treaties for putting an end to the slave-trade with the governments of the Brazils and of Spain, which treaties have not been strictly carried into execution; a circumstance which I know from my having been called upon to treat on the subject at different congresses at which I have been engaged. We know that large numbers of slaves are exported from Africa—I believe up to this very moment, and I do think that wherever the Government of this country makes such arrangements as we have made, or such concessions to foreign powers as to lower the duties upon foreign sugar, those concessions ought to be used for the purpose of protecting the system of preventing the slave-trade. Advantage ought to be taken of those concessions, in order to obtain those objects; and I say that these duties ought not to be lowered until such concessions shall be made as will give us a tolerable certainty that the treaties relating to the slave-trade will be strictly carried into execution; and I say that this should be done more especially because I believe that the future demand for sugar in this country can be supplied by

her Majesty's colonies within the tropics. If, then, my Lords, that should be the case, I say that, considering the sacrifices which were made by our colonies and by the West-India proprietors, eight or ten years ago, and considering also the description of engagements which were entered into with them at that period, that the existing system should not be altered, these facts should induce your Lordships to consider well the subject before they should consent to alter the duties upon foreign sugar imposed in this country. Then, my Lords, that being the case, and it being admitted on all sides that there is no other resource, that the experiment has been tried of levying a per centage on the customs and excise, and also on the assessed taxes, that the former has failed entirely, and the last has succeeded only partially, I do conceive that the necessity has been clearly made out for the adoption of another course; and I say further, that no other course could be adopted than the measure at present under your Lordships' consideration. The noble Marquess who spoke in the early part of the evening stated that this tax is to be justified solely on the ground of the deficiency of the revenue to provide for the expenditure of the country; but, my Lords, begging your Lordships' pardon, if this tax levies a larger sum than is necessary to provide for the expenditure and the public service of the country, there surely can be no reason why the overplus should not be applied to relieve the country from other taxes which fall heavily upon the resources of the country, and from which it was desirable that the country should be relieved, in order to benefit the commerce, the manufactures, and the other interests of the country. I do not mean to say, my Lords, as the noble Viscount opposite has said, that the tax should be continued in order to procure such a surplus. No, my Lords, but the tax being levied for the purpose of supplying a deficiency in the revenue to defray the expenses of the country, it is reasonable and right that the overplus should be applied towards the deficiency which must be the consequence of a repeal of the duties which press on the chief interests of the country, and to that purpose it is intended to apply that overplus. The noble Viscount has stated what is perfectly true—that the Government having adopted this measure, must adhere to it so long as it is necessary; and I sincerely trust that this Government,

if your Lordships will adopt this bill, will maintain this measure as long as it is absolutely necessary, and not one hour longer. I have said, that this tax is to be applied to the repeal of certain taxes, but it is to be expected, that when taxes are modified or repealed, the revenue will then become productive, and that the Government will thus be able to repeal this tax, not only because a necessity for it no longer exists, but because the increased revenue to be received from this relief from taxation, will enable us to come to Parliament and propose the repeal of this tax. It is impossible for us to do what the noble Viscount did, indeed we have not the means to do it. He came down to Parliament with a revenue already labouring under a deficiency, and he proposed to repeal the Post-office duties. By the measure there was lost 1,600,000*l.* on the year's revenue, and in the preamble of the bill which carried that measure into effect, there was a promise that the revenue should be made good. There was an attempt to make it good, but the promise remains unperformed to this day; and you cannot expect us to take the example of the noble Viscount, repealing such burdens as ought to be repealed, and then taking our chance of making up the amount of the public service as the noble Viscount did when he repealed the Post-office duties, and trusted to a promise in an act of Parliament that the amount should be made good to the public service. My Lords, I have already stated that I hope the Government will retain this tax as long as it is necessary. I can answer for myself, and I believe I can also answer for my Colleagues, that nothing but necessity could have induced us to propose such a tax. We are perfectly aware of all the inconveniences that must result from it—we are perfectly aware of the provisions of the act of Parliament upon your Lordships' Table—we are perfectly aware of the odious powers with which these commissioners and others must be trusted—and we can reconcile it to ourselves only by the necessity of the case. The country must feel also the necessity of the case. Your Lordships must feel it. We have been now for several years engaged in operations involving great expense in all parts of the world. I will not say, my Lords, that we have been at war, but I believe we have been at something as like war, if it be not war, as anything could well be. I have had lately opportunities of giving my consideration to the measures

which have been carried into execution during the last few years, and I certainly did consider these as measures of war; they have entailed upon the country the expenses of war, and we are now called upon to discharge the bill. We have had a deficiency for various years, amounting to 10,000,000*l.* sterling, there is a deficiency of 2,500,000*l.* on this year, and I believe, that if the accounts were examined very closely, the amount would be even more. But that amount is necessary to enable us to perform the public service. We are exactly in the situation of persons who have incurred a great debt, and who are called upon to pay the bill. I hope we shall pay the bill, and that we shall restore the country to a satisfactory state, and to prosperity. I say, again, my Lords, that nothing but a strong sense of the necessity of the case, and that there was no other course which we could take to produce such a revenue as would enable us to meet the difficulties of the country, or to do what is necessary for its prosperity, would have induced us to propose such a measure, and it will not last one moment longer than it shall be absolutely necessary.

The Earl of Wicklow said, he was very unwilling to protract the debate, but when their Lordships considered the position in which the question now stood, he trusted he should be allowed to make a few remarks. This was the most important measure which had come before Parliament since the passing of the Reform Bill, and this was the only occasion on which an opportunity had been afforded for its consideration. Their Lordships had now, as on a second reading, to consider the principle of the bill; they had now, as in committee, to examine its details, and also with respect to its having passed through committee; and in addition to this they had to consider it with reference to the proposition of the noble Marquess opposite; and yet considering that only four individuals had yet had the opportunity of addressing the House, their Lordships seemed dissatisfied at having the debate carried on at a quarter past eleven o'clock. If their Lordships were desirous of adjourning the debate, no one would be more ready to agree to that course, but he presumed that it was their Lordships' desire to conclude the discussion to-night, and therefore it would be an act of injustice to say, that those who felt an interest in the subject, and wished

to deliver an opinion thereon, should be deprived of so doing. Their Lordships were all agreed that if a proper substitute could have been found, this measure ought not to have been introduced. It was admitted that only one substitute could be proposed. His noble Friend in introducing the measure had taken a view of all the taxes which had been repealed since the war, and not one had been pointed out as a fit substitute for the present measure; and there only remained for consideration the substitute proposed by the noble Marquess opposite. His noble and learned Friend had shown that the proposition of the late Government could not have been effectual, and had intimated that they never intended to carry out their measure. Their conduct was certainly open to great suspicion. The measures which they submitted to Parliament were of a most important nature; they were measures likely to effect a great change in the finance and commerce of the country; and it was not until their tenure of office became precarious that they thought of bringing forward those measures. If they entertained any intention of passing such measures, they surely ought to have introduced them in the Queen's Speech at the commencement of the Session. Under these circumstances, was it likely their Lordships would reject the present measure, for the purpose of substituting that proposed by the noble Marquess? He thought their Lordships could come to no other conclusion than that the bill was absolutely necessary. He thought, however, that some parts of it were extremely objectionable. Many persons were of opinion that a tax of this nature ought only to be considered as a war tax, but he thought it peculiarly applicable to a time of peace. It was the only tax which could touch those who preferred other countries to this, and this was one of the redeeming qualities of the bill. His object in now addressing their Lordships was to obtain some information with respect to the operation of this bill in Ireland. No notice had been taken in either House of its application to that country. It professed not to extend to Ireland, but to be entirely confined to Great Britain; and yet in its operation it appeared to him to contain some of the most objectionable provisions, which would materially affect Ireland. He regretted exceedingly that her Majesty's

Ministers had not considered it expedient to extend its operations to Ireland, because that showed, that it was their deliberate opinion that Ireland was not fit to bear the tax. At the same time other taxation had been imposed on Ireland to nearly as great an amount as if she had been subjected to the Income-tax. It was injurious, in his opinion, to that part of the empire, that it should be supposed to be unable to contribute its fair proportion to the exigencies of the State. When it was necessary to impose a burden on the country, that portion of the empire ought not to be exempt. The exemption, however, having been made, he was anxious to take this opportunity of ascertaining from her Majesty's Ministers the manner in which its operation would extend to that country. By the provisions of the bill all individuals not Members of Parliament, who reside for more than six months in this country, are required to pay the tax. All Members of Parliament were exempted who reside in this country during the Session of Parliament, and forty days before, and forty after. These provisions were copied from the Assessed-tax Act, the 52nd George 3rd; but he did not think that the provisions of that Act could be fairly and justly applied in the present case. It appeared that Irish proprietors, residing more than six months in this country, would have to pay the tax; but if they should leave this country and reside abroad, how were they to be affected? He saw no machinery in the bill compelling them to pay; and it was, therefore, a bonus on the Irish proprietor to live abroad. The mode of taking the average for three years would have the effect of exempting some persons and throwing an unjust burden on others. He believed that a large portion of the income of that country would be subject to this taxation, although it appeared to be exempt. The stamp duty would also fall very heavily on that portion of the empire. He believed the spirit duty to be a good principle of taxation; but he certainly did not anticipate that the amount calculated on by the Government would be realised by it. He would not detain their Lordships longer than to say, that he should have felt great gratification if it had been considered expedient to extend the operation of this measure to Ireland.

The Earl of Clarendon: I can well understand the impatience of the House to

come to a division, and I should not have thought of addressing your Lordships at this late hour were it not for the attacks which have been so unsparingly made upon the late Government—to these I am desirous of offering some reply, and I appeal to the justice of the House to grant me a hearing. I must, however, in the first place, say, that I learned with great satisfaction from the speech of my noble Friend (the President of the Board of Trade), that he brings no charge of extravagance against the late Government, and that it is not upon their mismanagement that he has founded any argument to induce your Lordships to consent to an Income-tax for the purpose of supplying the deficiency in the revenue. It may, indeed, have suited the purposes of party to attribute this deficiency to mismanagement, but when we bear in mind the rebellion in Canada, and the enormous expense it entailed; the war with China, and the outlay which that occasioned; three successive bad harvests, with all their attendant misfortunes—the dearness of provisions, the export of bullion, and the pressure upon every kind of commercial transactions; then the bankruptcy of the United States, and the stagnation of our trade with that country, diminishing as it did the power of consumption of the whole of the manufacturing classes and their means of contributing to the revenue—an event alone sufficient, as my noble Friend (the President of the Council) told us the other evening, to account for the universal distress so often deplored in this House. When all these events coming in conjunction are considered, the only wonder is, that the deficiency in the revenue is not greater, and I know not one cause that produced it which can fairly be attributed to mismanagement, except it be the reduction of postage upon letters; that great experiment has not yet been fully tried, but whatever be its result I am convinced that the whole country is satisfied with its having been made, and that the loss of revenue it may occasion will never be grudged; but, looking at the nature of the circumstances to which I have just alluded, the late Government were justified in regarding them as temporary, and in meeting them with expedients suited to temporary circumstances, without imposing fresh burdens upon the people. When, however, last year there appeared no prospect of a favourable change, the Government felt bound to

consider the best means of equalizing our income and expenditure, and I do not feel guilty of betraying any secret when I say that every scheme of direct taxation was fully considered and deliberately rejected, for it was thought that such means should only be resorted to as a last resource or in an extreme emergency, and would be unjustifiable until we had endeavoured to raise revenue by lowering the duties upon articles of general consumption. This scheme has been treated with ridicule and contempt, (though I think it will not be so again, after the speech of my noble Friend near me) (Lord Lansdowne,) and various articles upon which duties had been reduced have been alluded to, to prove that although consumption increased, the revenue rarely, if ever, recovered its former amount; and I admit this is to a certain extent true. I still further admit that it would have been to the last degree injudicious, it would have been unwarrantable in any Government when about to raise such an increased revenue as the public service rendered necessary, to reckon upon obtaining it by the reduction of ordinary duties; but this was not the scheme of the late Government. Their intention was to leave untouched those duties that were productive of revenue, but to increase consumption and consequently revenue by lowering the duties which acted as prohibitions upon articles of the same kind, and there can be no more doubt that such a course would have produced the results anticipated from it than there can be that differential duties are necessarily unavoidably injurious to the revenue. The differential duties on the same commodities may be both too low or both too high, or one may be excessive and the other too low, or one may be of the proper amount and the other above or below it, but I will defy any one to prove that both can be equally productive, for it is impossible that duties differing widely in amount on commodities similar in kind can each be imposed in the manner which would produce the largest amount of revenue. Neither are they intended to do so, the one set of duties is for revenue, the other is for protection, and the operation of the latter is to exclude from consumption commodities that would produce revenue. These were the duties which the late Government intended to reduce, with perfect confidence as to the result; and their first measure,

as it was that of the present Government, had reference to corn and probably upon the same ground, that it was necessary to begin grappling with the greatest monopoly of all. Upon corn my right hon. Friend (the late Chancellor of the Exchequer) estimated that he should get 900,000*l.*, but if all the different sorts of corn entered for home consumption last year had paid the duties proposed, the revenue would have amounted to upwards of 1,100,000*l.* instead of 575,000*l.* which was received, and that without the least rise in price or the least injury to the consumer. With respect to sugar and timber, the other two principal articles in the budget of last year, I will not again go over the calculations by which my noble Friend near me (Lord Lansdowne) has so ably proved the fairness with which the increased amount of revenue was estimated, but I will only observe that Mr. Baring, in calculating that by a reduction of duty upon foreign sugar he should receive 700,000*l.* beyond the revenue of the preceding year, had every reason to believe, that he was greatly under the mark, he would probably have been more correct if he had calculated upon double the amount, for such I know was the opinion of one of the most able, enlightened, and experienced men who ever served the public, I mean Mr. Deacon Hume, and this year his opinions may be appealed to without fear of being told that they are absurd, and that his evidence before the Import Duties' Committee and the report of that committee, were the most fanciful and mischievous that ever emanated from men not yet in Bedlam, and I repeat that Mr. Hume's opinion was that Mr. Baring's plan, with respect to sugar, would be infinitely more productive than he had calculated upon. My noble Friend near me has shown upon what grounds Mr. Baring calculated he should raise an additional revenue of 600,000*l.* on timber, and be it remembered that in order to do so he adopted precisely the principle recommended by a committee of the House of Commons, of which Mr. Wallace was the Chairman, and my noble Friend opposite (Lord Ripon) was a member, and that principle was to diminish the differential duties between Baltic and Canadian timber, by lowering the duty on Baltic and raising it on Canadian; this proved to be a sound principle, it increased both consumption and revenue, and by

extending it still further the late Chancellor of the Exchequer had the best founded expectations of raising the sum he estimated. The budget, then, was not the contemptible bubble it has been represented to be, and looking at the revenue that would have been collected upon corn, sugar, and timber, I say that if the measures of the late Government had been permitted to pass, a certain amount of deficiency might this year still have existed, but it would have been nothing that could not have been supplied from other sources, and nothing assuredly that could have justified a recurrence to the odious tax we are now called upon to submit to. But it was said at the time, and the noble Earl opposite (Lord Wicklow) has this night again made the unfounded charge, that our plans were a deception, and that they were brought forward recklessly and without the smallest expectation of their being carried, and my noble and learned Friend (Lord Brougham) has not thought it beneath him to state that some official person (who that person may be I know not) is reported to have said that we were goaded by our friends and taunted by our enemies into the adoption of these measures. I really am ashamed of replying to accusations so offensive to the honour of gentlemen and to calumnies so degrading to those, who aspired to merit the confidence of their Sovereign and the country. I meet them, however, with an indignant denial, and in justification of that denial, I will place it upon grounds honourable to our opponents. There was not a man in the late Government, who doubted last year more than any man in the country can doubt this year what were the opinions of the right hon. Baronet now at the head of her Majesty's Government, for although his speeches, may sometimes conceal his thoughts and intentions, we felt as certain in the month of March 1841, as he has given us cause to do in March 1842, that he must be opposed to the commercial system by which this country has been so long oppressed. That with his great talents and knowledge, with his untiring attention to public affairs and all that is passing around us both at home and abroad, that he must long since have been convinced, that our system of excessive and unreasonable protection was paralysing our national resources, and was

destructive of our national prosperity—we did, therefore, entertain a hope—and that hope, though ill founded as it turned out, was reasonable, that in our attempt to reform this pernicious system, we should have had the support of the right hon. Baronet, and of that great party which so devotedly follows him wherever, be it backwards or be it forwards, that it may suit him to lead them—we saw no reason to doubt that that party would act as the Whigs did upon the Catholic question, who might then have addressed the Crown and said, that though they approved of the measure they had no confidence in the men who brought it forward, and could not consent to leave its management to those who had passed their whole lives in opposing Catholic emancipation. That party might have acted as the Whigs did when Mr. Huskisson first brought forward his measure of commercial reform, and when it would have been open to them to take advantage of the indignation with which those measures were viewed by a large portion of his own party, and the unpopularity the Government brought upon itself. They might have acted as the opposition did only a few nights ago, when had they joined in supporting the motion of the hon. Member for Somersetshire the most important, indeed, I may say, the only beneficial provision of the tariff would have been lost—but, whatever may have been the mistakes of the late Government, they made none so great as upon the occasion of the Budget, in reckoning upon the support of their opponents. They were, I admit it, miserably mistaken—when the Budget became known every base, and dishonourable motive was attributed to its authors, every misrepresentation was resorted to in order to excite the fears and the prejudices, and to stimulate the resentment of every class in the community,—commercial, agricultural, and manufacturing—their success was complete—my Lords, I am heartily glad of it, it might have been better for the revenue, and consequently for the country, as my hon. Friend near me has so clearly shown. If our measures had been carried, it would doubtless have been more satisfactory to the liberal party, but I do not believe it would have been better for the principles we advocated nor have materially advanced the cause of commercial reform. For

those objects, those great and important objects in comparison with which the miserable strife of party sinks into insignificance, every thing has turned out as their most cordial well-wishers could desire. The deficiency in the revenue was of great service, for the necessities of the country enabled the late Government to make the first attack upon those powerful and protected interests, which had so long (though I blame them not for it) and so grievously injured the country—the dissolution of Parliament upon matters so vitally interesting was useful, for it induced the people to discuss, and brought them to understand the questions—and above all the misrepresentations, and the calumnies with which our measures and their authors were assailed—above all they were useful, for they brought the Conservative party into power—holding the principles I do. Convinced as I am, that to our commerce and manufactures, we owe our greatness; and that upon their prosperity or decline, depend our maintaining the proudest position ever occupied by a nation, or our sinking to the level of a third rate power, believing this, I viewed with satisfaction the advent of our opponents to power, for I well knew, that no government, whether Whig, Tory, or Radical could long maintain itself, in defiance of the wishes and in disregard of the wants of the country—we have arrived at a period when more employment for our industry, and fresh markets for our produce, are imperiously demanded by our necessities. They must be found, we cannot do without them, upon them depend the food of our people, the tranquillity of our country, the safety of our institutions—these are not party questions, they are national questions, and no government can now dare to disregard them, but the difficulties, or the ease which any government may have in dealing with them, must depend on the support they can reckon upon, and, as I believe, that every step in that direction taken by the liberal party, would be met with fierce and determined resistance, and as I knew, that every measure having commercial emancipation for its object proposed by the party now in power, would have the unflinching support of their political opponents. I rejoiced at the change of administration, and what has been the result? Why, that her Majesty's Ministers have

been imitating the measures they last year thwarted, they have been advocating the principles they denounced, and their friends have missed no opportunity of proclaiming, both in and out of Parliament, that they voted against their conviction, and supported the Government solely from political motives. No one, however sanguine his expectations might be—who remembers the language held last year upon these subjects, could have hoped, that within a twelvemonth they would have made the progress they have, but he now cannot doubt, that our whole system of protection is crumbling before the assaults that have been daily made upon it for the last three months by the Government. True, it is, that we have not yet got much beyond the recognition of error, and the announcement of sound principle, and that their application has been rigidly confined to small things; but the announcement upon the highest authority, will go forth throughout the length and breadth of the land, and the people will take care, that the application shall become general—when it is admitted, that the means of subsistence do not keep pace with the growth of our population, that a wider era must be given to our markets; that pressure must be taken from off the springs of industry; and that henceforward property, and not poverty, must contribute to the exigencies of the State. When such maxims as these are admitted, it is clear that we are in a way to abandon that system, under which the Government of this country for centuries past has interfered with, and clogged, and misdirected the industry of the people. If these maxims were fairly carried out—carried out as the Government has the power of doing, and that for the temporary sacrifices such a course would entail we were told we must submit to an Income-tax—I, for one, should consider that tax more tolerable than I now do; but when we are told that the tariff must reconcile people to it, it becomes necessary to examine upon what principle that tariff proceeds, and in what manner the surplus revenue we are about to raise by such obnoxious means, is to be applied. The deficiency, as I understand my noble Friend opposite, is 2,500,000*l.*, and that it will probably be 3,000,000*l.* To cover it, 4,300,000*l.* is to be raised by a tax on income—3,000,000*l.* for the public ser-



vice, and 1,300,000*l.* to be employed in the reduction of duties. Now the main principle which appears to rule in the tariff is the establishing heavy differential duties between the produce of our colonies and of other countries. I think this is an unfortunate departure from the system now in existence, which was only to protect some of the articles most important to our colonies; but by the tariff it is sought to increase differential duties, or, in other words, protection where it exists, and to create it where it is unknown; and I believe it is unfortunate, because there is no saying how much of the inconvenience and distress under which our trade is now suffering, that may not be attributed to this vicious system. Under it the people of England are unnecessarily taxed, and the colonies are injured, by causing them to direct their capital and industry into channels not natural, and giving them interests in trades bolstered up by artificial means and monopoly. I admit that the system has prevailed too long to be suddenly changed; but in now carrying it out further than has ever yet been attempted, the Government will find they are laying the grounds for greater embarrassments, already great enough, both in our relations with our colonies and with foreign countries. We next find, that most of the principal articles of consumption are left untouched. I will say nothing of corn, not only because it does not form part of the tariff, but because that question has been disposed of by Parliament, and I only allude to it because the new law is one item in the catalogue of benefits upon which the Government relies for reconciling people to the Income-tax, and I am firmly convinced that under this law the people will not have corn cheaper this year than they had last; and that this article—this first and greatest necessary of life—is therefore left untouched. Wine and brandy are untouched, tobacco is untouched, tea is untouched, butter and cheese are untouched, and, above all, no alteration is made in the duties on sugar. I admit the benefit of removing the prohibition on provisions, which I think may prevent a further rise in their prices. I admit the benefit of the reduction on the timber duties, though the sacrifice of revenue is, I think, unnecessarily great. For these boons the country is grateful to the Government; but looking at the tariff

as a whole, it is absurd to talk of it as any compensation for the Income-tax. The mere absence of alteration on the sugar duties in the tariff, prevents its being any compensation: for if those duties were properly modified, nothing would be easier than to demonstrate that the Income-tax is unnecessary. I acknowledge the difficulty in which the Government is placed upon this subject; I acknowledge that, having last year when in opposition given their support to what was considered a very dextrous party manœuvre, it would be too bad, or, rather, it would be too soon, to turn round upon themselves, and in 1842 call that expedient which in 1841 they denounced as flagitious. Never did a party manœuvre, however, more completely bring with it its own chastisement, for what embarrassments would have been spared to the Government if they had now been free to deal with the sugar question, knowing as they must that the motion carried in the House of Commons last year was a mere mockery of common sense. They must have felt, that if we were sincere in adopting such means for putting a stop to slavery, we should have been prepared to prohibit, not only the sugar, but all the cotton, all the tobacco, all the coffee, all the rice, all the bullion, which are the produce of slave-labour, and at once put an end to the employment of 5,000,000 of the manufacturing classes in this country. We should have been prepared to stop all trade with the Brazils, for a large portion of our exports (between 3,000,000*l.* and 4,000,000*l.*) to that country, are paid for by bills on Hamburgh and other places on the continent indebted to the Brazils for the sugar they import. In short, we should have been prepared to pass a law of non-intercourse with half the civilized world. How comes it also, if we are resolved to check slave-labour, that we tolerate in this country, and under our very noses here in London, the enormous business carried on in the refinery of foreign slave-grown sugar? How comes it that the West Indians last year, so clamorous against the iniquitous measure of the Government for encouraging slave-labour, never consume an ounce of their own sugar, but import from this country, for their own use, foreign slave-grown sugar, refined in England? Were any of these anomalies noticed last year? Was any disposition

shown to remedy them? Not so, indeed, because the measure suited a party object, and because last year the time was not yet arrived for running down such a monopoly as that possessed by the West-Indians, a monopoly which, since 1834, the year of emancipation, has cost this country in sugar—i. e., between the price paid for sugar from the West Indies, and the price at which it might have been obtained from other parts—upwards of 20,000,000*l.* sterling, more than double the sacrifice made by this country, nobly and to its immortal honour, for the emancipation of every slave throughout the colonies. I believe that that great experiment has been completely successful, and that the productiveness of free-labour over that obtained by compulsion, is now beyond all doubt. Indeed, if I remember rightly, it was declared by the right hon. Baronet now at the head of the Government, to be the most successful experiment that has ever been made in civilized society; but it is indispensable that we should prove this to be the case, if we wish our example to be followed. Foreign nations are eagerly watching the financial, caring comparatively little about the benevolent results of the experiment, and if they find it affirmed by Parliament that a protection of 50 per cent. is insufficient, and that 150 per cent. is necessary to render sugar worth raising, they will look upon it as a virtual admission of our failure; and if we tell them that when they have set their negroes free they will have to pay 37*s.* a cwt. instead of 22*s.* as they now do, what chance is there that they will be induced to follow our example? Our disinterested and generous philanthropy has been misunderstood by them; it is every where attributed to a selfish desire on our part to ruin the prosperity of slave-holding colonies, and to bring them down to the level of our own, which they assert are exhausted and unproductive. Our untiring exertions and enormous sacrifices in the cause of humanity not only expose us to the most odious calumnies against our national good faith, but threaten at this moment to embroil us with Spain, with Portugal, with the Brazils, with France, and with the United States, to destroy our trade with our best customers, and to expose us to the calamities of war; all which this country would, I am sure, willingly submit to, if our efforts had been, or were

likely to be, successful; but it is unfortunately but too true, that all our exertions, all our sacrifices of life and money, all we have done ourselves, and all we have induced other powers to do, have not in the smallest degree diminished the slave-trade, but have immeasurably increased its horrors. All we have yet succeeded in doing is to make the slave-trade a smuggling one. We have raised the price of the slave, and thereby made the trade more profitable; but we have not limited the demand, nor can we prevent the supply being fully equal to it. If, then, we have only been able to aggravate the horrors of the trade—if our exclusion of foreign sugar has neither put a stop to it nor to slavery, why surely it is time to try some other system, and not obstinately to persevere in that which, however painful the admission may be, must be admitted to have failed. The late Government was blamed for not making arrangements to abolish the slave-trade with the governments of Spain and the Brazils before we proposed to reduce the duties on their sugars, and I gather from the debates in another place, that her Majesty's present Ministers are negotiating with those governments in the hope, I suppose, of obtaining from them something that will justify an attack upon the West-Indian monopoly next year, but I believe that all such negotiations will fail, because those governments consider, that their slave cultivation gives them so decided an advantage over us that the abandonment of it would not be compensated by the benefit they might derive from our lowering the duties upon their produce, and to this opinion they will adhere until we demonstrate the success of our experiment by proving, that in the West Indies, as in every other part of the world, the free labour is a cheaper instrument of production than the slave. This can only be done by relieving the West-Indians from the enormous burdens which our restrictions inflict upon their commerce, by letting them freely obtain all they want wherever they best can, and by withdrawing from them in return the monopoly which experience has shown to be injurious, both to the economy and extent of their cultivation; for under this monopoly, knowing that they can command the exorbitant prices of the English market, and being without the stimulus of competition, they have hitherto not reconciled them-

selves to emancipation, and they still bring up questions of rent and wages with their labourers, who, on the other hand, have learned to combine and to establish a monopoly against their employers. Thus, if the negroes have exclusive command of the labour market in the colonies, and the planters have a monopoly of the sugar market in England, where the price rises in proportion to the diminished production, (a state of things leading to every species of extravagance and diminishing every motive to improvement), the cultivation of the colonies must come to speedy ruin, while we here in England are paying for all this mismanagement, as well as for the heavy mortgages and past extravagance of the West-Indian proprietors, which prevent their laying out the necessary amount of capital and resorting to the best modes of cultivation; whereas, if both planters and labourers were thrown on their own resources—if both believed that they had but their own economy and industry to look to, the results would be the same as in every other case of a similar kind. These are the grounds upon which I think that the continuance of the present duties on sugar is alone sufficient reason against the Income-tax, and I would willingly place the necessity and the expediency of it, and upon this issue to the country, and let the people of England judge whether the vain hope of extinguishing slavery in foreign countries is a sufficient ground for depriving them of a cheap necessary, and for imposing upon them a heavy burden, which in its character will be so inquisitorial, and in its operation so cruel and unequal. I would have begged permission to offer a few remarks upon the measure to which your Lordships are now called upon to give your assent, but I feel that I have already trespassed too long upon the patience of the House. And I will therefore conclude, by thanking your Lordships for the attention extended to me.

Lord *Brougham* vindicated the expressions he had used or rather quoted regarding the budget of the late Government, which had been described by one of themselves as the course they were driven to by "the importunities of their friends and the taunts of their enemies." These were the expressions themselves had used.

The Earl of *Clarendon* insisted that those expressions were uncalled for.

Lord *Wharncliffe* denied the justice of the accusation which had been made

against her Majesty's present Ministers, of opposing the measures of the late Government for the purpose of obtaining office, and then adopting them when they had succeeded in obtaining their places. He referred the noble Lord who had made the accusation to what took place in their Lordships' and the other House of Parliament. What occurred in the other House when the budget of the late Government was brought forward? Did the party now in power deny the advantages which the country would derive from the removal of commercial restrictions? They did no such thing. If his noble Friend would refer to the resolutions passed at the time, he would find a declaration to the effect that, however good these measures might be of themselves, the persons who brought them forward did not sufficiently possess the confidence of the country to carry them into execution. Why? Because they had brought themselves into such a state that they had no power whatever. They were sometimes in minorities, and when they had succeeded in obtaining majorities, they had been so small that they carried no weight with them. They were in the hands of persons who had objects of their own to gain, wherefore it had been said that they were composed of squeezeable materials. This was the cause of their fall. He agreed with the noble Viscount opposite in the opinion that the worst of all governments was a Government which remained in office without the power of carrying their measures. How stood the case? A large deficiency, increasing from year to year, existed beyond a doubt, which must be met by measures of some kind. Noble Lords opposite proposed to apply a remedy by trying experiments. They proposed to remedy it by altering the sliding-scale in corn to a fixed duty, by an experiment in the sugar duties, and, thirdly, by an experiment in the timber duties. The present Government also thought that, by a reduction of duties, they would confer a benefit on commerce; but they said to the country, "It is your duty first to supply the deficiency. You have a considerable debt to pay before you can venture on experiments," and therefore proposed the Income-tax—a tax to which he did not deny that grave objections existed. At the same time it could not be denied that it had its merits, for there was not a tax on which they could with such certainty reckon for raising any

sum which might be required. He agreed with all who had spoken in the opinion, that unless an adequate emergency could be satisfactorily proved, this tax was unjustifiable. Her Majesty's present Government were satisfied that the measures of the late Government would fail in their object, and they had therefore had recourse to the measure now before the House. With respect to corn, a fixed duty must fail from the uncertainty of the seasons; but, in addition to this, the proposition of the late Government would have increased the uncertainty by taking off the duty when corn rose to a certain price; for it had been admitted by a noble Lord—a distinguished member of that Government—that in that case, it would have been impossible to maintain the duty. The noble Earl and the noble Marquess in arguing this question confined their observations to slave-working states; but it should not be forgotten that, in order to furnish the necessary supply of sugar from slave-holding states, encouragement must necessarily be given to slave importation. But were there no other parts of the world which furnished sugar besides the West Indies and slave-holding states? Did not the East Indies furnish sugar? Their produce was raised by free-labour. It was only lately that they had introduced a measure with a view to encourage their trade, at which they were now called upon to strike a blow. With respect to timber, he did not deny that the Government, instead of gaining revenue, had sacrificed it; but they had conferred a boon on the consumer. He had no doubt that these measures would have the effect which the Government anticipated—the country would hereafter rejoice at the imposition of the present tax.

The Marquess of *Clanricarde* said it had been objected to the fixed duty on corn that it could not be maintained in the event of excessive high price; but this, he maintained, was the case with respect to other taxes. He objected to the Government proposition with respect to timber, as calculated to introduce bad timber, where good timber had hitherto been employed. A boon might have been conferred on the consumer without so reckless a sacrifice of revenue, and without the necessity of resorting to an Income-tax. He would not allow himself to be drawn into an expression of opinion upon

the merits of the Income-tax on the present occasion, looking upon the discussion as a comparison between the relative merits of the two budgets.

Lord *Lyttelton* could not vote for the resolutions of his noble Friend the Marquess of *Lansdowne*, which were to be considered not as asserting a principle in reference to taxation generally, but in reference to taxation at this particular time, and under existing circumstances. Assuming that those circumstances justified the imposition of new taxes, he considered that the tax proposed would press less upon the working classes than any other. He was aware that it had been stated that the proposed tax would not press at all on those classes; it was clear, however, to him, that it would take from the means of employing labour to some extent, but that was an objection which was applicable to every tax. So far as his noble Friend's resolution referred to the articles corn, sugar, and timber, he agreed with his noble Friend as to the first of those articles though he doubted its practicability as a source of revenue. With regard to sugar he did not agree with the views of the late Government, not on commercial grounds, but upon the grounds which had been so well stated by his noble and learned Friend. With respect to the latter article timber, he supported the policy of the present Government.

The Marquess of *Lansdowne* said, he did not mean to avail himself of the privilege which he possessed of asking their Lordships to listen to him in reply, but he wished to offer one or two words in explanation of what had been said in the course of the debate. He had been described as an uncompromising opponent of an Income-tax. He certainly was not an uncompromising opponent of an Income-tax to the extent of saying that under no circumstances could an Income-tax be necessary in this country. He objected to it at present, because they had to deal with merely a limited exigency. The noble and learned Lord had asked why he, objecting so strongly to an Income-tax, had not opposed the bill on the first reading. He freely confessed that it was because he could not hope to induce their Lordships to send, or rather not to send, down to the other House a bill providing for the supplies of the year, and in the month of June to impose on the other

House the task of reconsidering all the financial system of the country. In reference to another remark of the noble and learned Lord, he had to state that he had never said that the slave-trade ought not to be a constant object of solicitude to his country, but he had said, that they could never expect to do anything towards its extinction by mere paper concessions, and that it was not to negotiations that they must look for the extinction of that trade, but to the example which they held out, founded on the interests of mankind in substituting free for slave-labour in their own colonies. He had heard with great satisfaction the manly declaration of the noble Lord opposite, that it was not against the principles, but against the persons composing the late Government that the vote of last year was taken. The noble Lord had now candidly and honestly declared that the vote was taken against persons, and not against principles; but how was it that this had not been clearly expressed, and manfully stated on the hustings at the late general election? There it was uniformly stated that the war was against the most detestable principles, but not against persons.

The Earl of Ripon said, that he took the liberty of saying that the vote was taken against the principles, and not the persons of the late Government. When he moved the amendment on the occasion alluded to, he distinctly stated, that it was on account of the measures which Government had proposed that he could not put confidence in the Government.

Their Lordships divided on the question that the words proposed to be left out stand part of the question—Contents 112; Not-Contents 52: Majority 60.

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Rutland	Devon
Buccleugh	Essex
Argyll	Shaftesbury
Newcastle	Jersey
Wellington	Eglington
Buckingham	Home
Cleveland.	Haddington
MARQUESSSES.	Galloway
Huntley	Dalhousie
Salisbury	Aberdeen

Dunmore  
Orkney  
Hopetoun  
Dartmouth  
Aylesford  
Warwick  
Delawarr  
Bathurst  
Digby  
Beverley  
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Mount Cashell  
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Wicklow  
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Brownlow  
St. German's  
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Cawdor  
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Bayning  
Bolton  
Blayney  
Crofton  
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## PAIRED OFF.

Duke of Cambridge	Earl Fitzhardinge
Marquess of Bute	Earl of Carlisle
Marquess of Ely	Duke of Hamilton
Earl of Sandwich	Earl Cowper
Earl of Morton	Lord Portman
Earl of Moray	Lord Stanley of Alderley
Earl of Kinnoul	Duke of Leinster
Earl of Cornwallis	Lord Sherborne
Earl of Clare	Duke of Devonshire
Viscount Strangford	Bishop of Norwich
Lord Northwich	Bishop of Derry
Lord Carbery	Lord Talbot of Malahide
Lord Maryborough	Lord Methuen
Lord Stuart de Rothesay	Lord Dinorben
Lord Templemore	Duke of Somerset

Question put, that the bill be now read a third time,

The Marquess of *Clanricarde* would move, that the debate be adjourned to Tuesday next. If their Lordships persisted in passing so important a measure as this without any discussion of its principle, he would ask whether it was likely to incline the other House of Parliament to accede to the proposition which his noble and learned Friend (Lord Brougham) had made, that their Lordships should be empowered to consider well in detail all those measures sent up to them by the other House, which, at present, they were not allowed to discuss. This bill had been pronounced, on good authority, to be the most important bill that had been laid before Parliament since the reform of the representation; and yet upon such a bill as this their Lordships were content to take one solitary debate for all its provisions, and all the great principles it contained, and in one evening they were ready to despatch all the important matters it involved. It was a measure that went to alter the whole fiscal system of the country; and yet, at twenty minutes after one o'clock in the morning, their Lordships were called upon to debate its principle. He should certainly divide the House upon the question; and he now begged

leave to move that this debate be adjourned till Tuesday next.

Lord *Kinnaird* considered that there should be a distinct debate on the third reading, and he understood the noble Duke to assent to that arrangement.

The Duke of *Wellington*: No, no—no such thing. What he stated was that the noble Lord would have an opportunity, if he thought proper, to state his opinions upon the third reading; but he did not express any assent to postpone the third reading for that purpose. He had been prepared to go into the question on Monday, and again on Tuesday. He then proposed that the committee should be on Thursday, and it was in consequence appointed, it being understood that the noble Marquess (the Marquess of *Lansdowne*) should bring on his amendment this night.

The Earl of *Radnor* said, that the noble Duke had very accurately stated all the proceedings that had taken place; still the bill went through the committee in a very hasty manner, and he certainly understood that when the noble Marquess (the Marquess of *Clanricarde*) said that he should take the sense of the House upon the question whether the bill do pass, the noble Duke said he should have no objection to take the discussion of the principle at a future stage.

The Duke of *Wellington* must repeat, that he gave notice that the third reading would take place on Friday, and it was so entered on the order book. He might have been misunderstood by the noble Earl.

The Marquess of *Clanricarde* should certainly take the sense of the House upon his motion for adjournment. This bill had been hurried through the House in a manner most unprecedented. He would defy any noble Lord to show that any bill of this sort and consequence had ever been hastened through its stages in the way this bill had been. They were now, at half-past one o'clock, called upon to discuss the principle of the bill. Those who had attended the debate on the amendment proposed by the Marquess of *Lansdowne*, had been in their places eight hours and a half, while the majority of those whom he had now the honour to address had been very differently employed. Was that the manner in which a great and important financial measure should be disposed of by their Lordships? He should persist in his amendment, and he considered it

would be the height of indecency if the Ministers opposed it, merely because they were a majority. They had taunted his noble Friends with not having a majority, and now that the noble Lords opposite had a majority, they were now willing to pass a measure of this description, no matter how little or how much deliberation had been bestowed upon it.

The Duke of *Wellington* repeated, that he had not been the cause of the bill not having been debated. He had been ready to discuss it on Monday, on Tuesday, and on Thursday. He had been every day in his place, and if their Lordships were willing he was ready to go on with the discussion now. He should certainly adhere to his motion, that the bill be now read a third time.

The Earl of *Radnor* said, that nobody had reproached the noble Duke for want of attention. They all knew perfectly well how attentive the noble Duke was in the House, and how constant he was in watching all the business that was carried on. It was not the noble Duke's fault that the bill was not debated last Friday. But it so happened that the motion of his noble Friend (the Marquess of Lansdowne) had occupied the whole night, and he would ask their Lordships whether it was reasonable to suffer so important a bill to pass without any real debate.

Viscount *Melbourne* : As far as he was concerned he had no wish for further debate. He had said all he wished to say ; but, as many noble Lords were, it was alleged, anxious to speak, he put it to the Ministers of the Crown, whether it would not be more becoming to adjourn the debate for the purpose of hearing their opinions. Many noble Lords had not so much experience in the House of Commons as he had ; but if they had, they would be aware, that it was possible for a small minority to carry a question of adjournment even against a larger majority than he now saw opposite.

The Duke of *Wellington* thought, he had some reason to complain, that he was not allowed to proceed. He was quite aware, that a minority had the power of adjourning these proceedings, and he had no personal feelings as to postponing the debate to Tuesday or to any other day ; but he must remind their Lordships, that it was essential, in his opinion, to the public service, that the bill should be proceeded with that night.

The Duke of *Newcastle* was so opposed to the bill that he should certainly support any motion for adjournment.

Their Lordships divided on the question, that the debate be adjourned till next Tuesday : — Contents 55 ; Not-contents 186 :—Majority 131.

On the question being again put,

Lord *Denman*, as we understood, said, he was not aware that the postponement of the bill would be productive of so great public inconvenience. He had remained in the House for the purpose of resisting the measure.

The Duke of *Wellington* characterised the proceeding as quite unusual.

The Earl of *Radnor* suggested, that the House should sit to-morrow or on Monday. He was only anxious that a discussion should be had upon the principle of the bill, and would move the adjournment of the debate.

The Duke of *Wellington* : I am not in the habit of saying what I do not mean. The noble Duke then assured the House that it would be productive of great public inconvenience if the bill did not pass to-morrow. A commission was prepared to come down to-morrow to give the Royal assent to the bill. A great variety of arrangements had been made pending the passing of this measure, and which could not be carried into effect until it had passed. If their Lordships chose to take another division on the question of adjournment, he could not help it ; he would only say, that whatever was the practice in another place, he had never deemed that course to be the practice of their Lordships.

The Marquess of *Clanricarde* said, that the great public inconvenience turned out to be, that a royal commission had been appointed for to-morrow, and so the House was to be treated in this manner, and to be allowed only one discussion, whether they wished to reject the bill or not. Was it fair, at two o'clock in the morning, to call upon their Lordships to enter upon a long discussion ? If the noble Duke would look to the records of the House, he would find that the course of moving adjournments was not unprecedented in that House, for it had been resorted to when Ministers had used an overwhelming majority in a manner which was thought unbecoming in them as Members of Parliament towards their fellow subjects.

The Duke of *Wellington* said, he had represented to the House, on the part of the Government, the great inconvenience of postponement, and if after that their Lordships chose to persist, he could not help it; he knew perfectly well he must submit. The measure was in their hands; they might do as they pleased with it.

Lord *Campbell* said, that there were many noble Lords who wished to deliver their sentiments. The practice of the other House in a similar case was to adjourn the debate as a matter of course, and he did not see why a different rule should prevail in that House.

Lord *Fitzgerald* contended, that the principle of the bill had been discussed in the present debate, and he would appeal to the public whether that had not been the case equally as much as if the resolution of the noble Marquess had not been proposed? If the hour was inconvenient to noble Lords, who was to blame? Had not much time been consumed in these motions for adjournment?

Lord *Redesdale* said, that the Reform Bill was divided upon between seven and eight in the morning, so that four hours remained for discussion.

The Lord *Chancellor* then put the question that the debate be adjourned till Tuesday.

Their Lordships again divided:—Contents 36; Not-contents 159:—Majority 123.

Question again put that the bill be read a third time,

Lord *Kenyon* asking, whether the noble Earl (Earl of Radnor) intended to persist in this course, and whether he thought it was decent, after the declaration by the first Minister of the Crown in that House, that the postponement would occasion serious public inconvenience.

The Earl of *Radnor* said, he did consider it decent to persevere, and that it would be indecent to allow the third reading to be taken at that hour of the morning. The noble Earl moved that the debate be adjourned to Monday.

After a few words from Lord *Fitzgerald* and the Marquess of *Clanricarde*, Earl *Radnor's* amendment was withdrawn, and the debate adjourned to Tuesday.

House adjourned at three o'clock.

## HOUSE OF COMMONS,

Friday, June 17, 1842.

MINUTES.] **BILLS.** Public.—1<sup>o</sup>. Customs Act (The Tariff).

2<sup>o</sup>. Poor-law; Primrose-hill.

Committed.—Justices Jurisdiction.

3<sup>o</sup>. and passed:—Assessed Taxes; Salmon Fisheries (Scotland); Dean Forest Poor.

Private.—Reported.—Deptford Pier.

3<sup>o</sup>. and passed:—London and Greenwich Railway (No. 3).

PETITIONS PRESENTED. By Sir B. Hall, Captain Pechell, Mr. S. Crawford, Colonel T. Wood, Mr. Leader, and Mr. Stuart Wortley, from Rochdale, Whitechapel, Kingston-upon-Hull, St. Pancras, West Ham, Brighton, St. George the Martyr, Southwark, St. James's, Westminster, and St. Mary Abbots, Kensington, against the Poor-law Amendment Act.—By Captain Pechell, from Berwick, Brunklow, Bedworth, and other places, against the Dissolution of Gilbert's Unions.—From Leigh, in Kent, against Railway Travelling on the Sabbath.—From Lambeth, for the Better Observance of the Sabbath.—From St. John's, Clerkenwell, for the Redemption of the Tolls on Waterloo, and the other Metropolitan Bridges.—By Dr. Bowring, from Warrington, for the substitution of Declarations in lieu of Oaths.—From Rathdrum, for Alteration of the present system of Education in Ireland.—From the Middleton Union, for the Abolition of the Tax on Coals and Cullm.—From Yetholm, and the General Assembly of the Church of Scotland, for the Abolition of Lay Patronage.—By Lord Ashley, from Sheepridge, Rochdale, Hulme, and Great Bolton, for Limiting the Hours of Labour to Young Persons working in the Factories.—From Amberley, Stockwell, and Lambeth, against any further Grant to Maynooth College.—From Trustees of the Dudley Hill, Killinghall, and Harrogate Turnpike Roads, and of Leeds, and Halifax, against the Turnpike Roads Bill.

CHURCH OF SCOTLAND.] Mr. *Fox Maule* presented a petition from the General Assembly of the Church of Scotland, against the continuance of lay patronage in the Church of Scotland. Mr. *Fox Maule* then stated that he had delayed presenting this petition until the right hon. Baronet came into the House. He had already given notice, that it was his intention to bring forward a motion on the subject of patronage in the Church of Scotland, on Monday, July 5, but since he had given that notice, he had reconsidered the subject, and seeing that the motion would be attended with a discussion which would probably be without further result, and seeing also that it was probable, on a division taking place, that the motion for an address would be negatived, and feeling also that the discussion would not be satisfactory to himself from the absence of his right hon. and learned Friend, the Member for Leith, and also from the circumstance, that the feeling of some of those who were favourable to the object of his motion was averse to have the subject debated at present, he had determined not to proceed further with his motion for the 5th of July. He was satis-



fied that the initiative would come best from her Majesty's Government, and he would now state, that if a measure on the subject did not come from them early next Session, he should feel it to be his duty to take up the subject.

Sir *R. Peel* thought, that he should be excused in making an observation, after the observations of the right hon. Gentleman. He would at once say, that on the part of her Majesty's Government, he should not deprecate any discussion on the motion of which the right hon. Gentleman had given notice. In the spirit in which he trusted that a matter of this kind would be discussed, he should have felt himself called upon to state the reasons why he did not think, under present circumstances, that any attempt of the Government to carry a measure with the view to the settlement of this question would be attended with the success which was desirable. Under these circumstances of the case, he was willing and prepared to give way to the right hon. Gentleman, so as to enable him to bring forward this subject on the day on which he had given notice. He would not say another word on the subject, beyond observing, that he was deeply impressed with the importance of the subject, and that nothing would be more gratifying to her Majesty's Government if the state of circumstances in Scotland, together with the prevalence of that good sense and moderation, together with a deep conviction of the extent to which these disunions affect the welfare of the country, afforded them an opportunity to bring forward some measure on the subject.

Lord *J. Russell* hoped, that he might be permitted to say, that during the existence of the late Government, no opportunity arose so as to enable it to settle this question. He also felt bound to say, that he did not think that the present opportunity was one in which the Government could judiciously interfere with the view to the settlement of the question. He hoped, that if an opportunity arose, the Government would proceed to legislate on this question so deeply interesting as it was to the people of Scotland. For his own part, he left the matter with perfect satisfaction in the hands of the Government.

Mr. *A. Campbell* said, that his object in bringing forward this bill, was to give effect to a principle for which the Church

of Scotland had always contended. He regretted that the bill had been defeated in consequence of a technical objection, having reference to the rights of the Crown. It would probably have been better had the right hon. Gentleman, the Member for Perth, given notice of his intention to some of the leading members of the Church of Scotland before he gave notice on the subject. He approved of the course proposed to be taken by the right hon. Gentleman.

Subject at an end.

POOR-LAW (SCOTLAND).] Mr. *Edward Ellice*, jun. rose, according to a notice he had given to the right hon. Baronet at the head of her Majesty's Government, for the purpose of putting a question involving a subject of very grave importance to the people of Scotland. It would be in the recollection of the right hon. Baronet, that, towards the close of the last Parliament, in consequence of representations made to that House, a committee had been appointed to inquire into the state of the Highland poor, with a view of relieving their distress by means of emigration. He had been one of the members of that committee, and, in conjunction with others of its members, had endeavoured to extend its inquiries beyond the actual state of destitution, and the means of relief likely to be afforded by emigration carried on at the public expense. He had thought it to be necessary to inquire into the means arising from other sources that had been previously employed for relieving the poor, and into those which could be depended upon thereafter for protecting that part of the population which (supposing emigration to take place) would be left behind, from want and starvation, in the event of a continuance of that extreme destitution that had been proved before the committee to exist. The majority of the committee had, however, determined to restrict their inquiries to the subject of emigration, and his endeavours to extend the inquiry had been defeated. There was no reason to suppose that the distress in the Highlands had diminished since that period. The right hon. Baronet had a fearful instance, in the case of Paisley, how greatly it had increased in the Lowlands. No further inquiry had been made, no legislative measures had been taken to check the evil, and in consequence of its having been represented to him, that, un-

less some immediate steps were taken by the Legislature to prevent it, the miseries of famine, which had prevailed from time to time in the more remote though populous districts of the Highlands, were likely to be extended to the Lowlands, where the consequences would be fatal to the health and tranquillity of the people. He now rose to put the question of which he had given notice. He would ask the right hon. Baronet, whether the attention of Government had been directed to the evidence taken before the committee appointed last year to inquire into the state of the Highland poor, and to the proceedings of that committee? Whether, taking into consideration the actual destitution in many parts, the increasing distress generally throughout Scotland, and the utter insufficiency of the existing law for the purpose of affording any general relief—was it the intention of her Majesty's Government to recommend any immediate measures to Parliament, or to institute any general inquiry, with a view of extending the system of compulsory relief to the poor, or of adopting measures for the improvement of the law in Scotland, and the existing administration of it, on that important subject?

Sir R. Peel said, that, as to the first question, he could only say that he was generally aware of the proceedings which had taken place before the committee which inquired into the state of distress in the Highlands and Islands of Scotland. He could also state that the Government had directed its attention to the present state of the law, and its practical operation, in reference to the relief of the poor in Scotland, more especially in the large towns and manufacturing districts; but Government did not intend to propose in the course of the present Session of Parliament any alteration of the law in that respect. To any proposition to alter the law he thought there would be a serious objection, as full inquiry ought to precede any legislation on a subject of such immense importance. At the same time, he had no hesitation in stating that his own opinion as to the law for relief of the poor in Scotland, particularly in large towns, to which part of the subject he had more particularly directed his attention, was, that it was a question well worthy the most serious consideration; but he must repeat that the most mature inquiry and deliberation must precede any legislation

in the matter. What mode of inquiry Government would adopt he could not then say, but he could say, that Ministers would direct their attention fully to the subject, more particularly in reference to the large towns and manufacturing districts.

REGISTRATION OF VOTERS, (IRELAND.) Lord J. Russell asked whether it was intended to introduce any measure this Session as to Irish registration.

Sir R. Peel said it would be much better to determine the principle of English registration, before they proceeded to that of Ireland.

NEW POOR-LAW.] Sir James Graham, in rising to move the Order of the Day for the second reading of the Poor-law Bill, said, that as he had already explained to the House the principles on which this measure rested, he did not imagine the House would think it necessary for him again to go over the same ground, and he would, therefore, content himself with moving that this bill be read a second time.

Mr. S. Cramford said: In rising to oppose this measure, I do not look upon myself as the mere representative of a particular constituency, but as a Member of this House, called upon to consider the interests of the whole nation, and I can conceive no subject more vitally important to those interests than the measure the principle of which we are now called upon to agree to. Before undertaking to oppose the second reading of this bill, I feel myself called upon to state the reasons and motives which induce me to take such a course. When this House is about to give its deliberate sanction to what must be considered a permanent renewal of the New Poor-law Act, it is, in my opinion, right, that the principle and working of the measure should be fully and fairly brought under your consideration. It is just and necessary that the complaints of the people should be heard, and that an act of the nature now proposed should not be passed without deliberately considering whether these complaints are well founded or not. This bill is not merely for a renewal of the commission; it is for the perpetuation of the new system. It is now for the House to determine whether that system is to be persevered in. As it is of importance to understand what is the real principle of the Poor-law Act and the ob-

ject of appointing the commissioners, I shall refer to some authorities for that purpose. It is of particular importance to do so at this time, because the commissioners in their last report affirm a system of action which had been negatived in all their former reports, and by all the proceedings which they had adopted during a continued period of eight years. But I shall first refer to a position assumed by the right hon. Baronet the Secretary for the Home Department in introducing the present bill. He affirmed that the object of appointing commissioners was not for the attainment of uniformity in the management of the poor, but for the purpose of providing the means of a necessary diversity, accommodating the mode of relief to the circumstances of the different districts. He quoted Lord Brougham as his authority, in a speech delivered by him on introducing the Poor-law Amendment Bill to the Lords in 1834. He quoted the following extract:—

“Again, one part of the country may require one mode of treatment—another may require the application of different remedies. Agricultural districts will stand in need of a very different mode of treatment from that which must be employed with commercial and manufacturing places—nay, the circumstances of one agricultural parish may be so entirely different from those of another, even of one in its immediate vicinity, as to render the same course of management inapplicable to both.”

But if the right hon. Baronet had read on to the next sentence, he would have found that a very different meaning would be produced. The noble Lord went on:—

“The point we are desirous of reaching is one and the same for all; the state of things we would bring all back to is the same; but the road to be taken towards this point is necessarily different in different places, for each may have deviated from the right path by a different route, and by a different route must be brought back.”

Thus it will be seen, that the inadvertent omission of that sentence of the speech which intervened between the two sentences quoted, gave an untrue meaning to the sentiment intended to be expressed; but that uniformity was the ultimate object to be obtained is more strongly declared in another paragraph of the noble Lord's speech:—

“I think I may lay down as clearly following from what I have stated, that there is one main point, the necessity of arriving at which cannot be denied,—I mean the securing such a degree of unity of action in the authorities

invested with the parochial superintendence as can be obtained only by the establishment of one central power.”

In a former extract the noble Lord said, that the point to be reached is one and the same for all. What, then, was that point? That will be explained by a further reference to Lord Brougham's speech:—

“For most certain it is, that anything more mischievous, anything more fatal to the country, anything more calculated to multiply indefinitely the numbers of the poor, cannot be conceived than the application to them of any regular fixed provision, be it tithe, or be it tax, which they can claim at the hands of the rich, except by the force of that duty of imperfect obligation—private charity, which is imposed upon all men; every permanent fund set apart for their support, from whomsoever proceeding and by whomsoever administered, must needs multiply the evils it is destined to remedy.”

Again, the noble Lord, in another part of his speech, says,—

“That at the present he would say nothing about repealing the Poor-law itself.”

But goes on to remark,—

“That when time shall have been allowed for inquiry and consideration, and when this measure shall have paved the way for the reception of ulterior projects, they will, should experience warrant their adoption, receive my assent.”

Such was the object Lord Brougham had in view, and no better authority can be quoted with respect to the purposes of the act. Perhaps other supporters of that measure did not take so extended a view of its objects and results; but if they had reflected they would have found that the limitation to in-door relief, which was the object the act had avowedly in view, must necessarily tend to the total withdrawal of relief from the able-bodied worker under any circumstances in which he might be placed. The truth is, it is evident that the great object of the promoters of this law was to do away with any fixed provision for the poor with as much speed as the state of transition would admit of; but they had not the courage (which Lord Brougham had) to assert that object, or to declare it in the act. The intention was not discoverable by the act itself; the fifty-second clause appeared to countenance the continued exhibition of out-door assistance, but the poison was covered under a sweet exterior, and the commissioners were to do that by laws of their own making, which the

Parliament of the country deemed it imprudent to venture on. It can be clearly shown, from a reference to all the reports of the commissioners except the last one, that such was their view of the case. We find them holding the opinion that the spirit of the act and the intention of the Legislature was, that the in-door test should be brought into uniform and universal operation with the least possible delay, and that the only claim for relief should be absolute destitution. They uniformly objected on principle to the administration of relief under any other form than the workhouse test. In order to work out these objects, the commissioners acted upon the following principles:—1st. That out-door relief should be abolished. 2nd. That the only ground of claim for relief should be absolute destitution. 3rd. That the test of destitution should be workhouse confinement. 4th. That the test should be rendered effective by the nature of the feeding, labour, discipline, and restraint. 5th. That no discretion should be exercised in the admission or treatment of claimants founded on character or the cause of distress. I shall now proceed to quote some extracts from the commissioners reports. In the seventh annual report we find the following passage (page 42:—

"We cannot omit stating that since the institution of the Poor-law commission all the proceedings of the commissioners have been directed to a faithful execution of the intentions of the Legislature, which are embodied in the Poor-law Amendment Act. In particular, the intention of gradually withholding out-door relief from the able-bodied is declared in so explicit and unambiguous a manner as left the commissioners no option as to the course which they should pursue."

Here is the view which the commissioners entertain of the objects of the act, and of the duty to be performed by them, expressed in the most clear and intelligible terms; and in conformity with this, we find the general order given in the same report (p. 63), expressed in the following terms:—

"And we do hereby order, &c., that from and after every able-bodied person, male or female, requiring relief, shall be relieved wholly in the workhouse of the said union, together with such of the family of such able-bodied person as may be resident with him or her, and may not be in employment, and together with the wife of every such able-bodied male person, if he be a married man, and if she be resident with him, save and except in the following cases."

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The order then details certain exceptions, but these exceptions in no degree derogate from the inviolability of the principle laid down as the general rule of action,—that the able-bodied are to get no relief other than in the workhouse. These exceptions have been put forward as if they abrogated the rule; but what do the commissioners say of their own exceptions? (Page 64.)

"Upon the portion of the order which relates to the able-bodied, the commissioners have only further to observe, that although the exceptions introduced in it are larger and better defined than those contained in the previous orders, yet it is upon the whole more restrictive than most of the previous orders, inasmuch as it extends to single women, including those with illegitimate children and to widows without children."

In the special report of the 31st of December, 1839, the commissioners state (p. 28),

"That all distribution of relief in money or goods to be spent and consumed by the pauper in his own house is inconsistent with the principle in question,"

namely, the principle of the act. They state their opinion against an out-door labour test in return for relief (p. 28) in the following terms:—

"Supposing again that the persons charged with the duty of relieving the poor, relieve them with money or goods at their own houses, but attempt to exact some labour in return, this mode of relief is found to be equally inconsistent with the principle in question." "In order, therefore, to carry the above-mentioned principle into effect, it is necessary that the pauper should be relieved, not by giving him money or goods to be spent or consumed in his own house, but by receiving him into a public establishment."

They then proceed to say

"The only expedient for accomplishing the end in view which humanity permits is to subject the pauper inmate of a public establishment to such a system of labour, discipline, and restraint, as shall be sufficient to outweigh in his estimation the advantages which he receives from the bodily comfort he enjoys."

In conformity with this principle, we find the regulations of the workhouse are to be carried out even to infirm paupers and the partially disabled. In page 29, we find the following observation:—

"With regard to the aged and infirm, however, there is a strong disposition on the part of a portion of the public so to modify the arrangements of these establishments as to place them on the footing of almshouses; the consequences which would flow from this

change would have only to be pointed out to show its inexpediency and danger; if the condition of the inmates of a workhouse were to be so regulated as to invite the aged and infirm of the labouring classes to take refuge in it, it would immediately be useless as a test between indigence and indolence, or fraud."

Alluding to the nature of the rules prescribed by the commissioners (p. 29), they are divided into two classes—

"1st., Those required for the maintenance of good order; 2nd., those which are necessary, not for that purpose, but in order that these establishments may not be almshouses, but workhouses in the proper meaning of the term, and may produce the results which the Legislature intended."

With relation to the separation of married couples, the commissioners again show their horror of any approach to almshouses; they say that if other objections could even be removed (page 31),—

"The domicile thus afforded to indigent couples would change the character of the institution for these couples; it would forthwith become an almshouse, in which not only food, clothing, medical and spiritual aid, but even the comfort of a separate home, would be provided at the public expense."

The commissioners in their last report seem to admit the necessity of out-door relief in the manufacturing districts, but in their former reports we find it was their undoubted intention to bring the whole of the districts under the New Poor-law system. From the report on the Liverpool poor (page 4),—

"In the autumn of 1840 nearly the entire manufacturing district of Lancashire had been formed into unions under the Poor-law Amendment Act, with the exception of the large towns. These had been left under their former management on account of the many difficulties which they presented; and it was thought that their omission would facilitate the working of the new law. The commissioners, however, found that while the leading places of the manufacturing district of Lancashire remained under the old mode of management, it was difficult to administer the law successfully in the neighbouring unions which had been formed and put into operation. Accordingly the commissioners in last autumn represented to the Marquess of Normanby the expediency of completing the union arrangements in Lancashire, and received his consent to that step; and in the sixth annual report, (page 2,) we find the following observations in praise of the refusal of out-door relief by the guardians. Mr. Edwards, sen., informs us that as respects certain unions (mentioned), where the population in some villages is exclusively manufacturing, in others exclusively agricul-

tural, although the greater part of the operatives have been only partially employed during the last nine months, and a very large proportion unable to find manufacturing employment, the guardians have firmly refused relief to this class except in the workhouse."

Again (same page),—

"Although we are sensible of the benefits which have resulted from the application of an out-door labour test, in periods of distress in the manufacturing districts, yet we are aware of its inferiority in effect to the workhouse itself; and we hope that on future occasions we may be able to devise arrangements which will render it unnecessary to resort to this secondary system of relief, notwithstanding the workhouse accommodation in a manufacturing union may be found to be inadequate."

What can be more explicit than this, with reference to the barbarous cold-heartedness with which the system was to be wrought out? In page 4 we find reasons assigned for the non-extension of the system as follows:—

"The depressed condition of the manufacturing population, and the disquietude of the public mind occasioned by the Chartist riot at Newport, in Monmouthshire, rendered us extremely unwilling to take any step in the manufacturing districts of Lancashire which might have even a remote tendency to produce a disturbance, or which might be used by designing persons as a pretext for agitation."

If we look through all the reports of the commissioners and the speeches of the supporters of the New Poor-law, we find the leading principle to be, that relief should on no account be given except on the existence of absolute destitution, and that the proof of this destitution should be obtained by means of the workhouse test. And what does the workhouse test mean? It simply means this—that the various regulations of the workhouse should be such as to produce that degree of repugnance to accept its relief, that no man should seek it except placed in the most urgent extremes of destitution; that starvation should be staring him in the face; and that this should be the only passport within its walls. For this reason and object the relief of the poor under any circumstances outside the House was to be withdrawn from the people of England; and the system of action was strictly in conformity with this object. The foregoing extracts most clearly prove the views which the commissioners took of the duties they had to perform. I shall now examine how far their proceedings were confirmatory of those views. In the last Session of Par-

liament I stated to the House various cases, which have not been contradicted, and which established that the utmost severity of treatment had been carried on in several unions. I shall not trouble the House with a repetition of the details of these cases; I shall give a summary only of the facts stated. 1st. Separation of families to the extent even of the mother and sucking child. 2nd. Excessive punishment of both young and old. 3rd. Flogging of adult girls by the master. 4th. Harsh treatment of aged men by washing with pails of cold water, and by insufficient clothing. 5th. Poverty of feeding producing diarrhoea and other diseases. 6th. Indiscriminate mixture of the profligate and the virtuous. I shall now refer more particularly to some cases which have since attracted public attention in a high degree, more especially the proceedings in the Bridgewater and Sevenoaks Unions. The following is a summary of the proceedings at the Bridgewater Union:—In May, 1836, the new system was commenced. In August the dietary and other comforts of the poor were reduced. In September disease commenced, as appears by neglected protests of the medical officer. For nearly six years, up to the present time, the history of this House exhibits the following characteristics of the most loathsome maltreatment:—1st, spare diet; 2nd, rooms crowded to pestilence; 3rd, reckless exposure of the healthy to the most fatal contagion; 4th, its consequences—fevers, inflammations, and deaths; all this notwithstanding the earnest remonstrances of the medical man and others on the poisonous state of the workhouse. It may be said, and justly said, the guardians had their share of the blame; but what could excuse the commissioners for joining in the system and prohibiting the out-door supply of the poor under such circumstances? It was not till the close of six years of these proceedings that the commissioners at last prohibited further admissions. A similar instance is afforded in the Sevenoaks Union, but even of a more desperate character. It appears that this union was formed in April, 1835. The commissioner recommended the guardians to form a workhouse to accommodate 500, but the guardians refused, or neglected to make this provision, and adopted the old house with the sanction of the commissioners, which could only contain 300. In 1836 the Penshurst Union was combined with the Sevenoaks Union, and yet no enlargement of the house. In

December, 1836, a strictly prohibitory order against out-door relief was issued to this combined union by the desire of the assistant-commissioner, but still no addition was made to the capacity of the House. The fruits of such a condition manifested themselves in the diseases of the inmates of every class, and in 1841 an inquiry was entered into by order of the commissioners, which confirmed in general all the statements before made, as acknowledged by the report of the commissioners. The commissioners blame the doctor, the master and matron, and the guardians. They complain that they were not sooner informed of the state of things! but had they not the information that a house was only provided for 300, when their assistant deemed accommodation for 500 necessary for the Bridgewater Union alone; and did they not know that they doubled the Sevenoaks Union by the addition of Penshurst; and might they not have foreseen the result? From a report by Mr. Adams, 22nd of April, 1841, the following facts appear:—

“86 boys slept in 19 beds; 75 boys in 16 beds; 57 men in 31 beds; 40 women in 20 beds.”

In another return, Mr. Adams stated the health of the inmates as follows.—

“78 boys enlargement of the neck, 42 having likewise goitres; of 94 girls and infant children, 91 had enlarged glands at the back of the neck, and 63 goitres; scrofulous cases 7. Nurse Middleton stated, that there lay 15 children in 2 beds feet to feet, and 18 children in 3 beds; the remainder of the beds had 4 each; the ages of the children, 5 to 12. The 2 beds in which so many children slept were tied together. The beds were four feet six inches wide. She describes the old woman being afflicted with vermin from want of clean clothes. Lying-in women confined two in a bed.”

Such have been the proceedings of the commissioners, acting as they stated under the spirit and meaning of the Legislature, as expressed by the New Poor-law Act. They carried this system on for eight years, in defiance of every claim of humanity, forcing it in such manner as to produce disease and death of old and young. But now it appears by the eighth report, that a new order or system is to be created. They have found out that the act gives them ample discretion, and that the out-door labour test is to be admitted as a part of the system. They have now found out (page 12),—

"The order prohibiting the out-door relief for the able-bodied, and limiting their relief to the workhouse, is inapplicable under two sets of circumstances:—1st, where the permanent state of the union is such as not to admit of its issue; 2nd, when the ordinary state of the union admits of its enforcement, but the workhouse is temporarily full."

They quote the 52nd section in proof of these powers, and then proceed,—

"From these words it will be seen that the commissioners are expressly empowered by the Poor-law Amendment Act to prescribe other conditions for the relief of the able-bodied besides that of admission into the workhouse. The most obvious and generally applicable condition of this sort is the exaction of labour in return for relief, without the exception of the persons relieved in the workhouse."

Let these extracts be compared with those before quoted from the former reports, and then I would ask these commissioners how they can explain such absolute contradictions. They stated in the former reports that it was the spirit and intention of the act that out-door provision should be withdrawn with all practicable speed, and yet now they affirm that there are certain unions whose permanent state will not admit the enforcement of the in-door test. They formerly reprobated the out-door labour test, and now they admit its utility in such cases. If this be the case, I would ask, did not Bridgewater and Sevenoaks come under the description of the second class, the houses not being sufficient to accommodate the poor? Why, then, did they issue their prohibitory order in these unions? Why did they persevere in maintaining it up to the last year, when they were aware that disease, produced by over-crowded apartments, was spreading suffering and death among the inmates? Was this a right use of their discretion? They persevered for eight years in maintaining the in-door test. They now say that the out-door test must be resorted to. They must be wrong either in the one position or the other. If their present opinions be right, they have been for eight years committing a grievous wrong against the poor; and such conduct affords a clear demonstration of the evil of having such extended powers placed in their hands. They blame the guardians and officers of the union of Sevenoaks for the abuses which existed; they excuse themselves in this way; but what is the use of the commissioners if they have not the means of information independently of these officers? And here is an evident proof of the evil of

such a system—where there is a divided responsibility—where there are two different sets of conductors, and each can lay the blame of their respective crimes or neglects upon the other. They now propose to apply the out-door labour test to manufacturing unions only; what will be the effect of this? If a less oppressive test be resorted to in the manufacturing unions than in the agricultural unions, will it not tend to produce a greater influx of poor into the already overloaded manufacturing districts, and thereby increase the distress? Or if they be returned to the rural districts, will they not be placed there as permanent paupers without the possibility of resuming their former position? Is this a proof of the right discretion of the commissioners? It is contended by some that a Poor-law is an invasion of property—that no man has a right to be supported out of another man's industry: this is true in the abstract, and might be properly applicable to a state of society where monopolies did not exist, and where there was no obstruction to the efforts of labour and the full enjoyment of its fruits; but this state of things exists in very few civilised societies, and none is more remote from it than the condition of Britain. The natural right of man conferred on him by his Creator is, that he shall support himself on the fruits of the earth produced by the sweat of his brow; the laws of society confer the property of the soil on individuals in extended tracts, and the laws of England, by the system of entails and the law of primogeniture, confer and sustain this monopoly, prevent that subdivision which would arise from the disposal of that right of property in the natural course of events, and render the poor man wholly dependent on the wages of hired labour for his existence. The Poor-law then, which sends the distressed poor man back to the land for relief in his necessities, is not an aggression on property, but is only a just compensation to the poor worker for the invasion made upon his rights by the monopolising laws of society. But, although this is the first and greatest invasion of his rights, the other laws which have been since passed aggravate in an immense degree the evils to which he is subjected—amongst which the Corn-law is pre-eminently iniquitous, and establishes beyond contradiction the absolute right of the poor to demand subsistence or employment out of the fixed property of the country. In fact, it is a quit-rent to the worker, to which all your

estates were virtually subject before you possessed them. It is a quit-rent which, if not paid, destroys the title to your estates. On the payment of this quit-rent the existence of your title depends in justice and in policy, and according to all the rules of religion and morality. But there are causes of distress to the poor man created by the legislation of the rich for objects in which the poor had no interest—the immense debt, the enormous taxation oppresses him, and interferes with his struggles to obtain an independent support; and another circumstance which has arisen at the present time to increase his difficulties is the progress of machinery in setting aside human labour. Although it is to be hoped that this will be for ultimate good—yet it cannot be denied that present evil is created to the working-man; that it puts his interests still more in the power of the man of wealth, and that means should be taken for his increased protection, instead of the abatement of his right to subsistence. The poor man should be protected against the monied man, as well as against the landed proprietor. The wealthy manufacturer should be kept under the feeling that he will be responsible if he, in the first instance, collects together large numbers of workers, and then by the sudden application of machinery causes a production beyond the demands of supply, and throws those poor people idle; he should know that he will be compelled either to employ them or subsist them. Nothing but a well-organised Poor-law, administered by a body of men in the localities, elected by the whole people, can give the poor man any protection against the oppressions of the rich in a society founded on such principles, and legislated for by such laws as at present exist in England. The rich must be made responsible for the condition of the poor; but on this subject one practical example is worth a thousand theories; and to find that example in the highest degree of force, you have not far to travel—you have only to cross the Channel to Ireland. You will there find where, until recently, there was no Poor-law, that every evil which has been attributed to the English Poor-law by its opponents exists in a character of the most extended magnitude:—improvidence, slothfulness, early marriages, thick population, want of employment, bad cultivation of the land, want of respect for the laws; and why did all these evils exist in Ireland? Because there was no responsibility

thrown on the rich with regard to the condition of the poor, a responsibility which can alone be created by the medium of a Poor-law with a settlement clause. Such was the condition of Ireland without a Poor-law. Compare this with the condition of England as it existed under the old Poor-law. What country in the world produced such evidences of prosperity, of improvement, good order, respect for the laws, respect for the rights of property, of peace, and contentment? Am I to be told that the Poor-law had no share in producing this, when such a practical example can be supplied as that of the two portions of the empire—England and Ireland, in juxtaposition? But I have further proofs. If we go back to the history of England, what do we find to have been its condition as to crime previous to the establishment of a Poor-law? We find in Hume's history that in the reign of Henry 8th there were confined, as debtors or criminals, at one time, in the gaols 60,000 persons; that 72,000 criminals were executed for theft and robbery alone in the reign of Henry 8th, an average of nearly 2,000 a-year; that in 1569, in the county of Somerset, forty persons are stated to have been executed in one year for robberies, thefts, and other felonies; thirty-five burnt in the hand, thirty-seven whipped. The rapines committed by idle vagrants were intolerable; at least 3,000 or 4,000 persons in every county were living by rapine, assembling in troops, committing spoil in the daytime, and magistrates intimidated from executing their duty. In 1597 an act was passed taking away the benefit of clergy from persons committing robberies in the daytime. An act of the 43d of Elizabeth, ch. 7, recites as follows:—

“For as much as unlawful cutting and taking away of corn and grain growing, robbing orchards and gardens, digging up and taking away fruit-trees, breaking hedges, cutting woods and underwoods, are now commonly committed,” &c.

Such was the state of England immediately before the passing of the Poor-law, and we find that after the passing of the Poor-law an amelioration took place, and that at the end of the reign of Elizabeth the entire capital punishments were reduced to 400 yearly, in place of 2,000, as in the reign of Henry the 8th, the preceding sovereign (Hume's history). If we refer to the condition of the people in other respects, we



find it described as follows—in Hume's history, in the reign of Mary, 1558:—

"The frequent plagues were ascribed to dirtiness—floors commonly of clay, strewed with rushes, under which all manner of offensive dirt lies collected. Scarcely a chimney to the houses, even in large towns; the fire kindled by the wall sought its way out by the roof, door or window. beds, a sack of chaff with a round log of wood for a bolster; houses built of sallow or willow; oak dedicated to the use of the rich."

Now, if we refer to the accounts of the condition of the people lately published from various quarters, we find a progressing descent to the condition above described; we find them gradually losing both the comforts and decencies of life in their houses. The operation of the Poor-law as formerly established in the prevention of crime is further proved by a reference to the facts given by official returns as to crime at present, and previous to the enactment of the New Poor-law Bill. It appears from Parliamentary returns, Session 1842, that from 1834 to 1841 crime has increased as follows:—

England and Wales.	1834.	1841.
Offences against property with violence	1,027	1,451
Offences against property without violence	12,177	16,285
Total of these two classes	13,204	17,739
Total of all offences	15,995	20,280

From the above, it appears, that since 1834 to 1840 convictions for offences against property have increased about one-third, and the total of all offences has increased about one-fourth; but the most rapid increase has been in the last three years of this series regularly progressing, as appears from the following statement:—

	1836.	1839.	1840.	1841.
Offences against property with violence	1,150	1,053	1,484	1,454
Offences against property without violence	13,513	14,294	15,852	16,285
Total of these classes	14,663	15,347	17,336	17,739
Total of all offences	16,785	17,832	19,927	20,280

Thus it appears that under the old Poor-law, England had prospered in an unprecedented degree, and that since the partial abrogation of that law by the new

act, the descent from prosperity has progressed with extraordinary rapidity. I am ready to admit the imperfections of that law as it was latterly administered, and that it required amendment; but I maintain that its spirit should not have been violated. The vital and essential difference between the two laws is this, that by the one the poor were protected from destitution, by the other no relief is to be administered till the last stages of destitution have arrived. The one was prevention, the other is destruction. By furnishing the poor worker with work, or else with subsistence when temporary evil comes upon him, you preserve him in his condition; he is enabled again to become an independent member of society; but if you give him no aid till the last stage of destitution has overtaken him, you bring him to the condition of an irrecoverable pauper. When his employment ceases, he first gets into debt. He next pawns, first his articles of furniture, next his clothing. He parts, by degrees, with all the comforts, if not the necessities of life. He cannot pay his rent. He is ejected. He then becomes a fitting object for your poorhouse, and if ever he leaves that house, he goes out as a vagrant; he commits crime, and becomes the inmate of a gaol. Such is the state to which your New Poor-law, in connexion with your other legislation, is reducing the people of England. You find the people now in such a condition that your Poor-law is incapable of relieving them; you have reduced them to the state of beggars, and you call for charitable subscriptions to answer the demands of these beggars. The supporters of the New Poor-law say, that the poor ought to be relieved by private charity. They say this consistently enough with their views, because charity will never be applied to any extent till extreme destitution has arrived, and even then it will not avail; but if the poor are to be thrown on the support of charity, are you to continue your vagrant law? How can the poor make known their wants except by asking alms, and if they ask alms, are they not treated as criminals of a high order? Was there not a case of this kind lately brought before the House, when a poor man, in the last degree of poverty, for the mere fact of seeking alms, was seized by a policeman and barbarously chained to a manger till it suited the convenience of this policeman to take farther steps for the enforcement

of the law? Is this the fate to which the poor, industrious, working men of England are to be brought? But it had been said, that Poor-law taxation had progressed to an enormous extent, swallowing up property. But it appears by Mr. Rickman's calculations, officially made and returned to the House of Commons, that on a comparison of the amount of poor-rate expenditure and population in the years 1748, 1749, and 1750, as compared with the year 1839, the total contribution of each individual taken in the average value of wheat at each of these periods was exactly the same,—namely, forty-two pints, but in 1750, the condition of the working classes was infinitely better, because, since that time, machinery has interfered with the domestic manufacturer, by which the parent and all the members of the family could be employed at home at good wages. The most important acts which have been passed for regulating the relief of the poor were the three following—namely, the 43rd of Elizabeth, the Gilbert Act, and the Select Vestry Act; all these acts were founded on the principle that subsistence was to be given to the unemployed worker in return for work; if that subsistence be given to an able-bodied person; and the Select Vestries Act particularly placed the discretion as to this relief and the persons to receive it in the hands of representative bodies. The new law gives the representative bodies a mere mockery of power, and places the real power in the hands of three commissioners. The action of the Select Vestry Act is highly approved in the first abstract of evidence published by the commissioners, who gave instances of its successful operation in reducing the rates, and particularly in the parish of Stanford Rivers, in Liverpool, in Garstang, Lancashire, in the city of Carlisle, and in Whitehaven; in all which cases the rates had been rapidly reduced. There is a proceeding of the commissioners which cannot be passed over without comment. By their first and second annual reports we find that the commissioners exerted their utmost influence to induce a migration of working people from the rural districts to the manufacturing towns, and that they partially succeeded; Can such a principle of action be defended? Is it not manifest that although a temporary relief might by these means be obtained that a permanent evil would be created, by multiplying the numbers of those wholly dependent on the

wages of manufacture? The very reverse should have been the course; instead of increasing the masses in the manufacturing towns, the manufacturers should have been induced to erect their mills in the rural districts, and thus combined the double means of support to be derived from manufacture and agriculture. The commissioners have now permitted an out-door test to be acted on, but from the previous disposition manifested, can it be doubted that they will make the terms of this test so severe as to deprive the poor of any use of it? Can their discretion be trusted in the humane administration of any test? Besides, this test is only permitted at present to be applied in five unions. Can it be supposed that if these five unions require it, there are not a multitude of other unions in which it would be requisite? I have now endeavoured to place before the House the principles of the act which you are called on to renew, and the principle of action on which the commissioners carried it into operation. You are called on to renew both the act and their powers. You are called on to make nonentities of the representative bodies which you have constituted, and to leave for five years the care of the poor in the hands of these commissioners. Will you do so? Will you practically upset the grand principle of the British constitution, which places the power of taxing and the disposal of that taxation in the hands of the representatives of the people? Eight years should have given sufficient experience of the regulations generally necessary. Let Parliament, then, enact such regulations as it shall deem fit, but let not the lawmaking for the poor be left in the hands of an arbitrary oligarchy of three individuals. I do not deny that a court of appeal might be proper, but this court should have no other power than to decide whether boards of guardians had acted according to law, or the reverse. With reference to the out-door administration of relief, I do not ask that the able-bodied poor should receive aid without the demand of work in return; but this work should be given with humanity, according to their strength and power of working and former habits of work; and the wages should be such as to afford a fair subsistence for themselves and their families. This I hold to be the wholesome principle of the original Poor-law, and I desire to see it restored not only in name but in substance. These are the principles which I wished to see carried

into operation, and I now call upon the House to reject a measure which goes to continue all that is objectionable in the system, which goes to continue all those powers of the commissioners which, in my opinion, have been grossly abused. Nothing, I can assure the House, is further from my wish or intention than to make this a party question. I am convinced there are many hon. Members who, at the time they gave their support to the New Poor-law, did it with the best intentions, and through a sincere desire of benefitting the country. But I now call upon those hon. Gentlemen to look to the experience of that law, not obstinately to adhere to any preconceived opinions they may have entertained regarding it, but to judge of it by the results it furnishes, by the effects of its operation, and if they find that in the working of it the poor have been materially injured, and that they are likely still to be injured by its continuance, then do I hope that they will not persevere in a course which must be obviously unjust towards those who most stand in need of our protection. I thank the House for the attention with which I have been heard in endeavouring, as far as I could, to lay before it the principles of this bill, and the ground upon which I now move that it be read a second time this day three months.

Captain *Pechell* had great satisfaction in seconding the motion which had been so clearly and so ably brought forward by his hon. Friend. The right hon. Baronet the Secretary of State for the Home Department, in introducing his bill, had appealed to the compassion and good feeling of hon. Members, and expressed a hope that the House would entertain it in a genuine spirit of charity, benevolence and good will. But what must have been the surprise of the House, after such a commencement, to find that the bill contained not a single alleviation of those clauses which operated with so much severity and cruelty. The right hon. Baronet had frankly announced his intention of abolishing the Gilbert Unions; while the right hon. Baronet avowed that he would not interfere with the local acts, because the law already gave sufficiently the power of doing that. Now, he was hostile to the powers of the commissioners, because he saw that there was no hope for the local acts unless those powers were abrogated. He should therefore give his strenuous opposition to every part of the measure,

and take every means of defeating it. [The hon. Member entered into some details concerning Gilbert's Act to prove that it authorised relief near the pauper's place of residence, and that the right hon. Baronet (Sir James Graham) had not accurately quoted it.] The hon. Member continued:—As for what the Poor-law Commissioners said of that act, their reports had only misled the country;—they had been founded on wrong data, and, like all the other measures of the commissioners with reference to these unions, they had only had for their object to distract, torment, and wear out the Gilbert guardians, as indeed they must have distracted and tormented any one less hardy than a Somerset-house commissioner. The right hon. Baronet had averred that under the Gilbert Act the employer might be one of the guardians, and that the man might agree with his employer and guardian what proportion he would pay and what sum should come out of the parochial fund. Now, the burden of proof in this case lay with the right hon. Baronet, and he challenged him to state one case in proof of his allegation. But those were the sort of general charges made against all who acted under the Gilbert enactment. It was on a par with the allegation that all the Gilbert guardians were illiterate men, and men who were not likely to act for the interest of their parishes. Certainly, with respect to the latter part of the allegation, there was pretty good proof that they knew their own interest in the fact that they had resisted the incorporation of the unions over which they presided. Then another complaint of the right hon. Baronet's was, that there was no harmony between the Gilbert and the Poor-law Act unions, and that they could not coexist, because the Gilbert Guardians could not send able-bodied men to their workhouses. Now this assertion was also not borne out by the facts. He would quote a case which had arisen in 1835, and which had been submitted to the opinion of the late Attorney-general, now Lord Campbell. That learned Crown officer delivered the following opinion on the point:—

“I am of opinion that guardians under Gilbert's Act may order into the workhouse poor persons able and willing to work, when their being in the workhouse is compatible with their having employment under the 32nd section of the act, but not otherwise.”

But then another great ground of objec-

tion was, that beer was supplied to the paupers under Gilbert's Act. That seemed to be a heinous crime, and was in fact the ground for all these clauses. Again, it was said that these unions offered geographical impediments to carrying out the Poor-law. Now, certainly that would be an excellent objection to the completeness of a game preserve; but he really thought it was immaterial whether the Poor-law unions were square, round, or of any other imaginable shape. Indeed, the idea of uniformity was discarded by the right hon. Baronet himself, so that he cut from under his argument the very groundwork of his own objection. But, turning to the other side of the question—contemplating the great interests involved—he must say, that when he saw so large a number of families enjoying the benefits of Gilbert's Act, he thought that House ought to act with some caution, when they were asked to consent to the entire abrogation of that system. At the present time there were 294 parishes with a population of 182,473 receiving the benefits of this act. In addition to these, there were 228 parishes with a population of 1,182,600 incorporated under local acts. Thus altogether 1,500,000 of the population of this country were enjoying freedom under their own acts, and under an act of Parliament which they had been at great trouble to obtain, and which they considered to have been satisfactorily administered. On a previous occasion, the right hon. Baronet had stated the number of persons living in parishes under Gilbert's Act at only 155,000. He had reason to doubt the correctness of that statement, and he found on inquiry that there were 182,000 and more persons taking advantage of its operation in 1831, whilst under the census of 1841 that number had increased to nearly 200,000. He might, therefore, have named 2,000,000 as the amount of the population not subject to the control of the Poor-law Commissioners. He was quite aware, that the great object of the Government was to deal what had been styled "a heavy blow and a great discouragement" at the nuisance, as they thought it, of the Gilbert Unions, and eventually at all other unions not under the control of the commissioners. The right hon. Baronet had, indeed, stated that this bill would not interfere with the operation of local acts, and so far he was correct in his assertion. The people were

quite aware, however, of the power placed in the hands of the commissioners, and after the decision of Lord Denman in the Brighton case, in which it was adjudged that the commissioners had the power to build the workhouses, they were on the alert against every encroachment. After all he had heard, he should indeed be wanting in his duty to his constituents if he did not at once declare his intention of opposing this measure in every stage and in every way in his power. Before it was advanced an inch further it ought to be shown that the Poor-law had given satisfaction to the country. He hoped that the right hon. Baronet who sat on the Ministerial bench (Sir E. Knatchbull) would take an early opportunity of stating how far he was satisfied with the working of the measure in Kent. He fully recollected that in February, 1841, the right hon. Baronet had refused to consent to any bill on the subject unless he was so satisfied, and that he had then come down to that House, and expressed the strong feelings he entertained at the refusal of certain boards of guardians in that county to provide food or labour for the poor during the time they were out of employ, in consequence of the snow of the preceding year. He hoped that the right hon. Baronet would state what had been the result of his experience since that time, and that they should find from his explanation that the statements which had gone forth in the public papers had not had any foundation in fact. Now, it had been stated by the hon. Member below him (Mr. S. Crawford) that crime had increased throughout the country since the passing of the Poor-law. He had no doubt of the fact, and he would further express his conviction that crime would be found to have prevailed to the greatest extent in those parts where the Poor-law had been the most rigorously enforced. In his own county, Sussex, it had been stated at a late meeting of the magistrates in quarter sessions assembled, that the Lewes House of Correction was filled to overflowing, chiefly by persons committed for offences in the union workhouses. At his instigation a return on this subject, showing how many of these crimes had been practised in the Gilbert and Poor-law union houses respectively, had been ordered, and he could not but express some surprise that it had not been laid upon the Table. At that meeting it was

also stated that the county had been put to great expense owing to these offences, and he would, with their permission, read to the House a short document giving a sample of the sort of crimes for which those committals took place. The case he referred to was that of a boy named Robert Crouch, who was charged before the magistrates on the Battle bench with running away with certain articles of clothes belonging to the guardians of the union. That charge was, in effect, that he walked out of the workhouse with his jacket and trousers on, and perhaps it was not quite so heinous an offence as that of the police, who commonly of a morning took away the clothes of the boys who were found after certain hours bathing in the Serpentine. But let the House hear the particulars. The master of the house stated that the boy had not long returned from the House of Correction at Lewes, where he had committed the same offence. As soon as he returned he again absconded and returned again to the house, where he endeavoured to instil into the minds of the other boys that Lewes gaol was better than the union-house, and several boys had run away for the purpose of being committed there. The magistrates said, it seemed extraordinary that the guardians should apply to the bench on such occasions. It appeared, on the following day, that this boy and another absconded, and were taken by a policeman and placed in confinement in the union-house. During the night they contrived again to escape; one was retaken and committed by a magistrate at Hastings to Lewes gaol for three months, which was just what the boy most desired. He understood that since this case had been heard the magistrates had grown quite tired of such proceedings, and had given notice that such charges must not be brought before them. Therefore it was, that he said it was only fair and just that before they abrogated the Gilbert system they should show that they intended to supersede it by some system of superior management. They ought to hold out some inducement to take such a course. They should soften opposition by showing that some benefit would be likely to accrue—either in the lessening of the expenses, in the better and kinder treatment of the poor, or in the improvement of the general workhouse regulations. He would only further say, that as he had never at any one time made this a party

question, so he should now continue to pursue the course he had always taken—that of treating the matter fairly and justly, and without consideration as to the political views of the party in power. Entertaining these opinions, he should most gladly second the motion of the hon. Member for Rochdale.

Mr. *Pakington* hoped for the indulgence of the House whilst he stated the reasons which induced him to give his most cordial support to the measure which had been brought in by her Majesty's Ministers. There had been so much misconception of the entire principle of the measure, arising from a well-intentioned, but misplaced humanity, and in addition to this such unscrupulous endeavours had been made to excite the bad passions and the angry feelings of the people against it, that it was the duty of every man who had given the subject his conscientious attention, and who was desirous to afford the law a fair trial, without undue prejudice on the one side or partiality on the other, not to shrink from the bold expression of his opinions, whatever unpopularity might attach to them. He was glad to find that in the measure about to be introduced, Ministers had not been induced to swerve from the principle of the Poor-law. When a brief discussion took place on this question in last September, he ventured to express his hope that whilst Government would not hesitate to relax any of the provisions which might be found to operate with undue severity, no important principle should be compromised. He was glad to perceive that there were many useful alterations made in the bill, but he was equally pleased to find its main principles were preserved, and it should therefore have its support, for he was perfectly convinced that it was a measure of all others best calculated to promote the true interests of the working classes themselves. He should not follow the hon. Member for Rochdale through all the topics which the hon. Gentleman touched, such as the conduct of the policeman chaining the prisoner to the bed-post, as he did not see how such a case bore upon the question. There were two objections, however, of the hon. Gentleman to which he would address himself. The hon. Gentleman first objected to the commissioners, and next to the workhouse test. Now to him it appeared utterly impossible that the measure could be properly carried out, through all

its complex details, without some central guiding authority. Indeed, the hon. Gentleman himself admitted the necessity of some central control. As to the commissioners, he was of opinion that, whilst some of their acts might, perhaps, be open to cavil, it must, on the whole, be admitted that they performed a delicate and difficult duty with great judgment and impartiality; and while he was on this subject, he must bear the testimony of his approbation to the late appointment of Sir E. Head, which was highly creditable to the Government, inasmuch as it showed the appointment to have been made apart from party consideration, and merely with a view to the due discharge of the duties involved. Last year he dissented from the proposal of vesting such power as was proposed in the commissioners, unless it was subjected to Parliamentary revision; but, at the same time, he thought it necessary to secure to them independence of action, by not having their appointments made from year to year, but for a sufficient given time. There could be no greater proof of the necessity of a central controlling body than what had recently taken place at Easingwold. There the guardians threw up their offices, because out-door relief would not be allowed to the able-bodied mothers of illegitimate children, to which relief the commissioners very properly objected. The relief was attempted to be justified on the ground of the deserving character of the parents, who never before had had illegitimate children, and were under twenty-two years of age; but if such an argument were to be allowed, and out-door relief granted, how could it be refused to poor but respectable widows? If every board of guardians showed such a disregard of sound principle, and abandoned their functions in such a way, there could be no more convincing proof afforded that it was necessary there should be a central board, to step in and check such irregularities. This, then, was one of the reasons why he approved of the commission. The next, and perhaps the most important, point in the measure was one of the provisions to which the hon. Member for Rochdale objected—namely, the workhouse test. The hon. Gentleman expressed great disapprobation of this part of the measure, and adduced several instances of alleged abuse as occurring in the workhouses under the existing law. Amongst these he enume-

rated the Hoo, the Bridgewater, and the Sevenoaks Unions. He could not do better, as regarded this part of the argument, than state to the House some of the malpractices which took place under the old law. He would take an instance from the general report of Mr. Mott, the assistant Poor-law Commissioner. In the first annual report Mr. Mott stated:—

“There are some of the parochial establishments for the reception of the poor which are positively a disgrace to our common nature.”

In the report on the workhouse of St. Philip and St. Jacob, out-parish of Bistol, there occurred the following:—

“The state of the workhouse was filthy in the extreme—the appearance of the inmates dirty and wretched. There was no classification whatever—men, women, and children being promiscuously huddled together. In one corner of the building, I discovered a most dismal filthy looking room. I entered it, and the scene which I witnessed it is impossible to forget; it reminded me of a coal-cellar, or any place rather than the residence of a human being. The sole tenant of this miserable abode was a poor distressed lunatic. His appearance was pitiable in the extreme; his clothing was ragged; his flesh dirty as the floor; his head and face were bruised, apparently from falls. . . . I endeavoured to arouse this poor pitiable fellow-creature, but the attempt was useless—all sensibility had forsaken him. To the very great shame of the parish officers, I found he had been in this disgusting state for years.”

In the report of Mr. Pilkington—

“Mr. John Hunt, who is surgeon to one of the districts of the Westbourne Union, stated to the board, that on visiting the Bosham workhouse—a house which had not then been altered from the system in which it had been left by the overseers acting under the old administration—he one day found a married man standing up in bed in the middle of the day, with nothing on but his shirt; while two young women, one of whom was daughter to the governor of the house, were making a bed adjoining the one on which he was standing. The old governor has been discharged by the board of guardians, and these indecencies have been prevented by a proper separation of the sexes. When Mr. Weale, now one of the Assistant Poor-law Commissioners, visited the workhouse at Horsham, at my request, he found several couples of able-bodied married persons regularly sleeping, without any partition or screen between them, in the same room; while several young females were also sleeping in a corner of it. He also found a highly dangerous lunatic in chains in the common sleeping room.”

As the hon. Member for Rochdale had

spoken of the alleged abuses of the new system, he would ask the House to compare the two, and he would put it to them to say, whether details so revolting and disgraceful to human nature as he had just enumerated, were not utterly inconsistent with the useful application of a Poor-law. There was another point to which he would call the attention of the House, in comparing the old with the new system. He had just stated the condition in which a pauper lunatic had been for four years, and that arose from the fact, that under the old system there was no security against abuse, for no one knew what was going on, and there could consequently be no detection. Contrast that state of things with what had been said respecting the Sevenoaks and Hoo Unions. He did not mean either to palliate or defend the conduct of the master of the Hoo Union, but it was seen, that his conduct had been inquired into, he himself had been brought to trial, and he suffered three months' imprisonment. It should, however, be taken into account in bringing a great experiment which was to extend over the whole kingdom into operation, that it was not possible, in the first instance, to find persons who were all fully qualified to aid in carrying it out. With respect to Sevenoaks, no person could regret more than he the illness which sprang up there, or the misconduct which had taken place. But what was the result? The guardians refused to build a new workhouse when the inmates were found to be too numerous. In the spring of last year, attention was called to the fact that a glandular affection had exhibited itself amongst the children, and yet the guardians postponed increasing the establishment. This conduct led to an order on the part of the commissioners for the purpose of preventing the House being over-crowded, and this showed, that the poor could not be neglected, or abuses suffered to exist with impunity, whilst the Central Board had the power of correcting the evil. If, then, he wanted an argument in favour of the commission, the transactions which had taken place at Bridgewater, Sevenoaks, and Hoo, would serve to show their utility in bringing abuses to light, and secure the public from any fear of their continuance. There must be some test, and, in his opinion, none was better than that afforded by a *well regulated workhouse*. Workhouses

were not almshouses, but places of last resort for persons thrown for support upon the public, and where three of the greatest advantages which persons in their position require,—namely, a good shelter, abundance of fire, and wholesome food, those three things were not denied in the workhouse—and if the poor man was sure of enjoying at the time of need what the honest and independent workman frequently wanted, he could not complain of some necessary restraint imposed, and some useful restrictions adopted. The outcry against the bill was raised by those who took no part in its administration, and was the result in many instances of good and benevolent, but mistaken feelings. He was convinced, that if those who from such motives now opposed it, were to lend their aid in administering the law in kindness, in justice, and in mercy, the complaints now made would not be so prevalent. There was one part of the bill, however, which he was inclined to consider with no little hesitation. He meant that part of the measure which related to the educational districts. This part would involve considerable expense, and it was very questionable, taking into account the great expense which had been already incurred in erections, whether it would be judicious to add a new item for schools. Whilst he applauded every measure for the promotion of education, he still thought it questionable whether illegitimate children who had been abandoned by their parents and thrown upon the country for support, should enjoy advantages which were denied to the children of honest and independent labourers. He was pleased, however, with the proposal of district committees, which would prevent the necessity of long journeys; that he considered a wholesome alteration. With respect to what had fallen from the hon. Member for Brighton, he must utterly dissent from the doctrine laid down respecting the Gilbert Unions. It was essential to the well-working of the bill that the existence of these Unions should not interfere with the unity of action of the measure throughout the whole country. On the contrary, he regretted that there were two omissions of what, if he remembered correctly, had been introduced into the bill of last year. One related to the payment of county-rates by the board of guardians, and the other had reference to the rating of small dwellings. With re-

spect to the expense, the amount of the rates under the old law was enormous and a great saving had been effected under the new system. When he spoke of this point, he always guarded himself against being supposed to mean that this was the great or primary object of the Poor-law Amendment Act. The primary object of that Act was to restore habits of industry and independence to the English peasantry. He believed that it was well adapted to effect its object, and that in many instances it had already succeeded in that object. He believed it to be, in all its principles, a sound and wholesome law, and he would not be deterred by any prejudice or clamour that had been raised, or any unpopularity of which he might be the object, from giving his assent to the bill now before the House.

General *Johnson* observed, that opinions respecting this measure were more contradictory, on both sides of the House, than on any other which he remembered. The hon. Member had talked of uniformity of system as the main advantage to be obtained by the original measure, but that ground had been totally abandoned by the right hon. Baronet, the Secretary for the Home Department, in his speech on introducing the present bill. No other advantage had ever been held out as likely to result from the appointment of the commissioners than that they should enforce uniformity. They had now held power for eight years, and had totally failed to enforce it. Was there any security, if five years' more power were granted to them, that they would do any better than they had done during the last eight years? They had sown disunion instead of establishing uniformity. The Poor-law Amendment Act had set man against man throughout the country, beyond any measure that House had ever passed. It had stirred up hatred between the employer and the employed—a hatred which would never be forgotten so long as the law continued in force. As for the assistant-commissioners, he should be glad to know from any one who could inform him, of what sort of use they were. He had spoken to the chairmen of several boards of guardians, and had never been able to ascertain from any of them that those commissioners were of the slightest use whatever. They were an incumbrance on the boards; they im-

peded their proceedings, and did no earthly good whatever. That was an expense, therefore, which might be saved to the country. It was a mere source of patronage, which had better be got rid of. One part of the subject he wished to advert to, which had been totally overlooked by the hon. Member who had just sat down—the extreme difficulty experienced under this law by the poor in obtaining medical relief. The distance they had to travel before reaching the place where it could be obtained was often very great; and when the place was reached, the granting relief was entirely at the option of the medical man, who, it was probable, said he would come next day. He knew a case where a sick man had to go twenty-nine miles, backwards and forwards, over the union in search of relief; the medical man did not see him until the third day, and he died on the fourth. Another great objection to this law was, that it treated good and bad men alike. Whether it was the misfortune or the vice of an individual that made him a pauper, he was dealt with in the same way. The authorization of out-door relief was at the discretion of three men at Somerset-house who could know nothing more of the expediency of granting it than the box on the table. They had forbidden it wherever they dared, although their proceedings had been counteracted by the guardians of several Unions who had given out-door relief in spite of their order. Those Unions succeeded best which paid least attention to the orders of the commissioners. The amount of the poor-rates considerably decreased in the last three years before the act passed, but during the last four years it had most materially increased in almost every Union. The rate-payers were crying out against the enormous salaries paid to the commissioners and their officers. He was of opinion that the overseers had, in many cases, a fair claim to be paid for their services. They had often to go ten or twelve miles in and out, and a day was of consequence to farmers attending the board, particularly at certain periods of the year. In the Union with which he was connected they had been obliged to send to the next town to procure guardians to make a board. If guardians were to be employed that way, they had better be paid for their attendance. He thought the poor would have a better chance of being attended to if the guar-



dians were paid for their time, than if they were put to the loss of their time and trouble. By the present bill, it was proposed to give power in cases of bastardy to imprison the father of the child under certain circumstances. If the mother could be supported for 1s. 6d. per week, it would be hardly worth while to prosecute the man. He would suggest, that the man should be obliged to support the woman during her lying-in month and pay her expenses. It had been said, that the present act worked well; he was of opinion it worked well for none but those who had to work it. Was it just to subject those for whose benefit it was pretended the act was passed, and who had no representatives in Parliament, to the control of the gentlemen of Somerset-house, who could know nothing of the local circumstances of the various districts? He objected most strongly to the system of centralization established by the act. Our forefathers were perfectly well able to take care of themselves and of all the inhabitants of their parishes, and why should not the present generation do as much? Why should the commissioners of Somerset-house, who were responsible to nobody, have the power of making laws? Why should the people be delivered up to the power of the commissioners without any liberty of appeal from their judgment in every case? It had been said, previous to the passing of the new law, that it would raise the value of labour and the rate of wages, but it had, on the contrary, lowered them, and had it not been for the employment afforded by railroads for five or six years, it would have depressed them much more. Would any man say, that wages in the south and west of England were not scandalously low, much lower than they ought to be? He did not know of any instance in which the New Poor-law had raised wages. The labourers were entirely in the hands of the guardians, their chief employers, who regulated the rate of wages, as must always be the case, by the quantity of labour in the market. The hon. Member who spoke last had drawn a parallel between the workhouses under the new act and those under the old system, but formerly it was well known there was hardly one workhouse to 100 parishes. For the reasons he had stated he should offer the present bill his most strenuous opposition.

*Colonel Sibthorp* remarked, that it

might be supposed he was most anxious to give his support to the measures of the present Government, entertaining as he did the highest respect for their talents and integrity, and knowing that they were possessed of every quality which could recommend them to the confidence of the country. He regretted, therefore, to be compelled by a sense of duty to stand up in that House and oppose any bill introduced by them. He objected to the measure before the House on the ground, that it would entail a very heavy and useless expense on the country. After eight years' trial of the new system, he thought that it had produced no good results; that the poor were not better taken care of, and not better satisfied under the present system, and that there had been, not a decrease, but a considerable increase, in the rates. He should give his cordial support to the motion of the hon. Member for Rochdale.

*Mr. Grimsditch* regretted, that such a bill as the present should have emanated from the Conservative side of the House. The existing law, as administered by the central power sitting in Somerset-house, was condemned by the great mass of the people—not only by the recipients of relief, but by those who contributed to the maintenance of the poor. Within the last two years he had scarcely found a gentleman of any rank in society who considered it an improvement. On the contrary, he had heard it universally said, that unless some discretionary powers were given to the boards of guardians who had the management and distribution of the funds raised for the maintenance of the poor, the law could not be maintained. The right hon. Baronet (Sir J. Graham) had led the House to expect that this bill would enact some ameliorations and mitigations of the law; but, after a careful examination of its various clauses, he found it was nothing more nor less than the bill introduced last year by the noble Lord, the Member for the City of London (Lord J. Russell), although it was tricked out in somewhat different garments. When he found it seriously proposed that the Poor-law commission should continue for five years he could not help thinking that the object was to render it perpetual; and he had little doubt, if the country were to remain for five years longer in the hands of the commissioners exercising the powers they now possessed in the admi-

nistration of the local funds for the relief of the poor, the people would be up in arms against it. The present law was based on a theory which was altogether unconstitutional. The commissioners exercised a power amounting to positive tyranny over the whole arrangements, even of the most minute character, in any way connected with the machinery of Poor-law administration. Their control extended to the appointment and superintendence of every master of a workhouse, every clerk to a union, in fact, every officer, even down to an overseer. In the union with which he was connected, a case had recently occurred which would illustrate the extraordinary manner in which they interfered in these matters. The four overseers had an assistant-overseer, who acted as clerk. In the course of last year they discovered, that he did not properly keep the accounts; indeed, it was found, that he had received monies for which he had not accounted. The overseers immediately applied to the board of guardians, whom they considered their masters, requesting that the assistant might be dismissed. The answer was, "We have no power, we are the mere tools of the Poor-law Commissioners, you must apply to them." Application was made to the commissioners through the auditor of the union, and their reply was, that the board of guardians were the proper persons to investigate the charge which had been made. The case did accordingly come before the board of guardians, consisting of some fifty persons—a little Parliament in itself. Macclesfield returned seven of that number, the remainder being guardians over a wide district round about. The board of guardians insisted that this was an affair of the town of Macclesfield, and that it was the duty of the guardians of that town to investigate it; they did, and reported unanimously to the general board that the charges had been proved. Next week the question was to be discussed whether the defaulter should be recommended to be discharged; but in the meantime the party charged went among the county guardians, and succeeded in bringing a majority of them to say, that he should not be dismissed. By-and-by an assistant-commissioner was sent down, and having stayed an hour or two in the place, reported to Somerset-house, whence the secretary announced to the board, that the commissioners saw no reason why

this person should be discharged. Why should respectable men be insulted in this way, because reliance was placed on the representations of an assistant-commissioner, who held his situation only by managing to please those who appointed him? Last year, he was shocked to find, when the superintendence of parochial vaccination was placed in the hands of the Poor-law Commissioners, they were treated as a permanent body. On these grounds he should certainly vote for the motion of the hon. Member for Rochdale. It was expedient and politic, that the powers of the commissioners should be annihilated; and he did hope the right hon. Baronet at the head of the Government would at no distant time apply his great mind to the whole working of this system. It was sometimes said, by those who objected to the present system, "Why don't you suggest a substitute?" He himself had, on a former occasion, suggested one to the noble Viscount (Viscount Howick) then Member for Northumberland, now for Sunderland, having lost his election for the county in consequence of his opinion on the New Poor-law; and he offered to show him how the principle of unions might be carried out to the satisfaction of the country at large and the comfort of those who received relief. Coming from so humble an individual as himself, the suggestion might perhaps have been treated with derision, but still he would frankly tell the right hon. Baronet, that if ever the system of unions was to work satisfactorily to the country, instead of paying 80,000*l.* a-year to the Poor-law Commissioners, they must at once reduce the size of the unions. That was absolutely necessary, and if this bill were read a second time, he trusted the House would assist him in making it imperative on the Poor-law Commissioners to reduce the size of the unions. For this purpose altogether new machinery must, of course, be introduced, and he should propose where any rule, order, or regulation was to be confirmed, it might be done by Order in Council. Some machinery of this sort, he was convinced, would be infinitely more satisfactory to the country than the administration of the Poor-law commissioners. While on his legs, he could not help adverting to one portion of the speech of the right hon. Baronet in introducing this measure. He quoted the authority of a great and distinguished

man, who undoubtedly would always stand high in the estimation of the public—he meant Lord Brougham—who, in his speech on this subject, had thought it right to animadvert on those who were the framers of the salutary and mild statute of Elizabeth. Lord Brougham said,

“Those who framed the statute of Elizabeth were not adepts in political science. They were not acquainted with the true principles of population; they could not foresee that a Malthus would arise to enlighten mankind.”

The present bill, then, was intended to carry out the principles of Malthus, who insisted that no man came into the world with any title to relief from his fellowman. He had thus been led to look into the early history of pauper legislation in this country, and he found, that in 1388, the 12th of Richard 2nd, c. 7, prohibited persons from departing from the hundred in which they lived without a testimonial, which continued to be the law for 107 years. In 1495, the act 11th of Henry 7th, c. 2, required beggars to go to their place of birth without begging out of the hundred. The 19th of Henry 7th, c. 12, required them to go to the place of birth, or the place of abode for the last three years, without begging out of such place; which continued to be the law twenty-seven years. By the 22nd Henry 8th, c. 12, justices were to assign limits for begging. If out of the limits the beggar was to be imprisoned two days and nights in the stocks, and then sworn to return to the assigned limit; the able-bodied to be first whipped. The 27th of Henry 8th, c. 25, enacted compulsory relief. Every parish was to maintain its own poor, or forfeit 20s. per month. Sturdy beggars to be punished, first offence, whipped, second, the right ear to be cropped, third, to be tried at Sessions and suffer death as a felon. This law remained in force five years, but its severity prevented its execution. By the 1st of Edward 6th, c. 3, the able-bodied labourer was to be branded with the letter V, and serve as a slave for two years on bread and water, and refuse meat, and caused to work by beating, chaining, &c. If he ran away to be branded on the cheek with the letter S,—a slave for life. Second time to suffer death as a felon. Obligation of each parish to maintain its own poor on pain of forfeiture, if a city, 5*l.*, borough, 40*s.*, village, 20*s.*, for not setting labourers to

work. In 1550, 3rd and 4th Edward 6th, c. 16, repealed the last act, and revived the 22nd of Henry 8th, c. 12. The 5th and 6th Edward 6th, c. 2, confirmed 22nd of Henry 8th, and the 3rd and 4th of Edward 6th, and directed collections. In 1556, 2nd and 3rd of Philip and Mary, c. 5, re-enacted 3rd and 4th of Edward 6th, c. 16, in precisely the same words. The 5th of Elizabeth, c. 3, gave powers to justices to enforce contributions. The 14th of Elizabeth, c. 5, recited,

“That all parts of this realm of England and Wales be presently with rogues and vagabonds and sturdy beggars exceedingly pestered, by means whereof daily happeneth horrible murders, thefts, and great outrages;”—

and assigned punishment for the first offence to be grievously whipped and burnt through the ear with a hot iron, of the compass of one inch about. Second, felons. Third, to suffer death as felons without benefit of clergy. Under this act, justices were to assess all the inhabitants, 1598, 39th of Elizabeth, c. 3, and 39th Elizabeth, c. 4, altered the punishment, and mitigated the severity in some degree—whipping until the body be bloody; transportation beyond the seas, or to the galleys. Four years afterwards, by 43rd of Elizabeth, c. 2, provision was made for setting to work the able-bodied, and relieving the poor and impotent. The punishment of the able-bodied was to be imprisonment in the House of Correction on a refusal to do the work set for him. There was no further alteration of the law till 3rd and 4th William and Mary, c. 11, which was the first foundation of the justices' power to order relief. The 9th of George 1st, c. 7, prohibited relief to those who refused to enter workhouses. Then came the 36th of George 3rd, c. 23rd, which gave power to the justices to order relief generally, under which the abuses so much complained of had grown up. But he contended, the present was not the law to cure those abuses. It was said, that the law in the manufacturing districts had been relaxed, and it was very proper that it should be so, for it could not be enforced. The population of those districts was of a character altogether different from that of the agricultural districts. In the report of the Assistant Poor-law Commissioners, who had been recently sent down to inquire into the state of Stockport, he found the following passage. They stated, that

"Eighty accounts of provident institutions had been opened at the savings'-bank in that town; a proof of a wide-spread prevalence of habits of economy. In addition to these we must, in justice to the manufacturing population of the northern counties, state, that they exhibit a degree of hardihood in the endurance of distress, and a spirit of pride and independence in regard to the receipt of parochial relief, which are not commonly prevalent in other parts of England."

Again:—

"Those among them who have not been able or willing to leave a place where at present their labour is of little or no value, have been found enduring distress with patience, and abstaining, sometimes to the injury of health, from making any application for relief, while others, who have been driven reluctantly to that extremity, we have seen receiving a degree of relief sufficient only to support life, often with thankfulness and gratitude, and generally without murmur or complaint."

He put it to the House, whether these were a class of persons who should be driven into the workhouse, their little habitations destroyed, their goods and chattels sequestered, when a little temporary relief in sickness or distress, for a week or even a day, perhaps, might enable them to recover themselves? He believed, it was the desire of the Poor-law Commissioners to do the best they could, but it was impossible that they could have a proper acquaintance with the condition of all the various unions in the country. He did not see the necessity of the appointment of these mighty gentlemen, one of whom he perceived in the gallery. [Order.] Well, he would proceed without addressing anybody. He maintained, that the Members of the Board of Guardians, and the overseers of the poor in that part of the country to which he had referred, were as respectable, intelligent, and as anxious to do their duty as any set of gentlemen resident in the metropolis of London; but they found themselves, in consequence of the New Poor-law system, placed in a very irksome situation, being obliged to receive orders from a board which could not possibly form a just opinion of what ought to be done. He regretted, that he was obliged to vote against the present Government, but a sense of duty to his constituents and to the country at large induced him to vote with the hon. Member for Rochdale.

Sir C. Napier said, there were many points of the present Poor-law of which

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he thoroughly approved, and many others to which he felt great objection. He would state shortly to what parts he objected. His first objection was to the Poor-law commissioners. He could not for a single moment understand what was the use of paying the Poor-law commissioners in London 60,000*l.* a-year for the purpose of supervising the affairs of the various unions in the country, of which they had no local knowledge, and interfering with those who were employed in them. In a district of South Hampshire with which he was connected there was an union of four small parishes, which had done an immensity of good to the district in which he lived. Generally speaking, the board of guardians established there had conducted the affairs of the union with great good management, and to the satisfaction of the people at large; and if all unions were equally small, he believed that the Poor-law bill would be a blessing to the country instead of a curse. He had been guardian there himself, and had paid great attention to the business. They were in the habit of giving out-door relief to elderly poor of sixty years of age, allowing each person 3*s.* a-week, and a man and his wife 6*s.* a week. The expense of keeping paupers in the house came to 2*s.* 11*d.* each per week. Why, then, for the sake of saving one penny, should every poor person be driven from their homes into the union workhouses? The feeling of the guardians there was, that they ought to possess more power, and be allowed to extend the out-door relief, for the purpose of aiding deserving persons, who should not be driven into the union-house because they were not sixty years old. This was a point to which, as he believed, the commissioners objected. It was quite true that many guardians evaded the instruction of the commissioners on this head, and acted contrary to law, and when he was a guardian he certainly lent himself, as far as possible, to practices contrary to the law. In his union the elderly people were not confined as prisoners; but when they conducted themselves properly they were, on application to the master of the house, allowed to go out to walk in the country and amuse themselves. He believed that if it were permitted that the poor people should be generally treated in this way, they might be induced, instead of looking on the workhouses as they now did, as bastilles,

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to regard them as old seamen and soldiers did the hospitals of Greenwich and Chelsea. One great objection of the present system was this:—If a man had a wife and three or four children to support, his wages of 12s. a-week were sufficient to maintain them; but if he had eight or nine children, his wages of 12s. were insufficient for their maintenance. The consequence was that he was obliged to give up his cottage, which, if another system were adopted, might be made comfortable for him, and go into the workhouse with his eight or nine children. Was it right that good and industrious men, because they had the misfortune to have a large family, should be driven out of their cottages and kept in the union workhouse perhaps for years? He believed that the guardians generally, though they were not in the habit of acting too generously, would, if it were not for the commissioners, act with much greater generosity. It would be a far preferable course, instead of forcing the industrious man, who was exerting himself to the best of his power to provide a living for himself and family, into the workhouse, to take one or two of his children into the house, and feed, clothe, and educate them; and this would be better than giving out-door relief, which might encourage people to be indolent. He would then make use of these children in connexion with the bill of the right hon. Baronet, who was not attending to what he said, for increasing the navy. He would maintain them until they were fourteen years of age, under the express condition that they should repay their country for the care which had been taken of them, by serving their country either in the army or navy for a limited period. He did not see any reasonable objection to such a system, which would not be compulsory, but carried into effect by voluntary agreement between the guardians and the parents. He hoped his suggestion would attract the attention of the right hon. Baronet opposite. There was another part of the bill to which he materially objected, viz., the bastardy clauses. He believed the *onus* of maintaining illegitimate children had been thrown on the mother from a wise and just motive, namely, with the hope of rendering females more discreet. He did not believe that this part of the bill had had the smallest effect in that way, especially in the rural districts. He believed that there

were as many illegitimate children born as ever, and the bastardy clauses had rendered, not the women more discreet, but the men more reckless. It was unjust towards the unfortunate girl to have the whole burden of maintaining her illegitimate offspring thrown on her. He saw that one of the amendments proposed by the right hon. Baronet was to the effect that the goods of the putative father were to be seized and sold for the maintenance of the child if it were in the workhouse, but if it were not in the workhouse, then the putative father was to escape clear. Why was this proposed? Was it to drive the unfortunate mother into the poorhouse by force; and why should not the father be obliged to come forward and support the child to the best of his power? He did not believe that the morals of the unfortunate woman would be improved by such a course of proceeding. But there was still a greater hardship. If the mother went into the poor-house she might when there receive the offer of a situation in which she would be enabled to support herself respectably and retrieve her character; but she could not accept the situation without taking her child out of the workhouse, and her wages in the country would not be sufficient to maintain herself and child. What objection could there be to enable a woman to go into respectable service by allowing her to leave her child in the workhouse, and making her pay something towards its support? In the union in which he lived there had been a woman and her child in the House for four or five years. She could get a place in a farmer's house, but she was kept in the union because her wages would not enable her to take her child out of the house. The system pursued was calculated to encourage bad conduct. He would suppose that a girl of a really bad character was living in a workhouse, together with a girl whose morals were not entirely corrupted. The bad character wished to go out of the house to have a "lark," or perhaps to amuse herself with some young man. She gave three hours' notice and set out, amusing herself for three or four days, and when she thought proper came back, pretending that she was unable to get a place. The guardians were obliged to take her in, and she might run this rig once a fortnight, or even once a week. There was no law to get rid of her so long

as she conducted herself well in the house. Was there sense, reason, justice, or morality in this? While the poor girl who conducted herself well could not escape from this prison, but was a prisoner there for life; but should she be offered a situation, the wages would not be sufficient for the maintenance of herself and child. He suggested whether it would not be as well in this case to allow the child to remain in the house, a charge of some 6d. or 1s. being made for its support. What could be the right hon. Baronet's reason for proposing the clause as it stood? He could not see any reason, justice, religion, or morality in it. He thought it altogether abominable and horrible. There was another point to which he wished to call the attention of the house. If, as in the district to which he had alluded, every cottager was obliged to pay something, however small a sum, say a 1d. or 2d. a week—towards the poor-rate, this contribution would make him feel when he applied to the union for relief, that he had a right to it. Were such a system carried out generally, it would give to the unions something of the character of clubs, to the funds of which the poorer sort would themselves contribute. There was another point—namely, the Gilbert Unions, respecting which he had not got a clear notion. He understood from hon. Gentlemen connected with them, that they were extremely well conducted. If so, why should the Government be so desirous of interfering with them? Why not let well alone? Why try an experiment with bodies which had done a deal of good, and subject them to the inconvenience of change—for all sudden changes were bad? Though he approved of a great part of the bill, and was anxious to see it amended, yet he thought the only course left for him to pursue was to vote against the bill; for this was the only step he could take for the purpose of putting an end to the Poor-law commission.

Mr. Ferrand deeply regretted that some Member in that House of high celebrity, or else connected with the Ministry, had not before the present hour stood forward to state the grounds on which they presumed once more to call on the people of England to support a law against which, wherever it had been carried out, there had been manifested an almost universal spirit of opposition. He rose that evening to tell the House, with every feeling of

respect, in the name of the people in the north of England, that the New Poor-law Bill had been attempted to be enforced with a tyranny and oppression which it was a disgrace to Englishmen to submit to. He called upon the supporters of the law to show to him, to the House, and the country, in what way the act of Elizabeth had operated injuriously in the north of England? He had paid attention to the reports of the Poor-law commissioners, and he could not find a single passage in any one of them, and he defied any advocate of the measure before the House to place his finger on any portion of them which stated that the ratepayers of the north of England had neglected their duty. He challenged the right hon. Baronet, the father of this measure, to stand up in that House and tell the ratepayers of the north of England that they had forgotten their duty to themselves or to the poor; and that, therefore, in the right hon. Baronet's opinion, they were nothing but idiots, and the commissioners and their myrmidons were required to carry out the law for the relief of the poor in the north of England. He maintained that the act of Elizabeth had been regularly enforced, and given satisfaction to every class. The ratepayers had carefully nursed the rates, while they had not at the same time lost sight of their duty to protect the poor. He asked the right hon. Baronet, then, why he attempted to place the ratepayers of the north under an authority which, wherever it was exercised, constituted a monstrous violation of the Constitution? He was aware that the ratepayers in the south of England had forgotten their duty, and had not paid proper attention to the condition. He did not state this on his own authority; but on the authority of the commissioners, and he would show that wherever a man stood forward fairly and conscientiously to do his duty, the old law could be carried into effect in the south. He would begin with a high authority—the county of Berks,—where the New Poor-law found its origin. It happened one day that while a noble Duke—a high authority—was taking his morning walk, he entered a vestry and found relief being granted in a headlong manner by a person whose duty it was not to grant, but to administer relief according to the directions of the ratepayers. He found this person squandering away the parish money. He inquired how this happened, and he was

informed that the gentlemen in Berks were too fond of fox-hunting to attend to such parish matters. This noble Duke found that the farmers were paying the wages of their men out of the poor-rates; and, perceiving this indifference on the part of the gentlemen, he said, he would fill himself the office of overseer. He did so, and, carrying out the 43rd of Elizabeth properly, he soon brought the parish to a wholesome state. He appealed to the gentlemen of the surrounding parishes to support the law, but they would not, and the consequence was that the New Poor-law was introduced and finally made the law of the land. What said the Poor-law commissioners themselves? He appealed to the authority of a report of Mr. C. Mott, dated June 26, 1835. That gentleman stated, that:—

“The heavy amount of poor-rates was to be attributed to speculation and bad management almost exclusively. In a parish in Suffolk complaint was made to me, that notwithstanding there were at least thirty competent persons in the parish, the magistrates had actually appointed an old woman as overseer, and this woman is now acting as overseer of one of the badly managed parishes. It is not uncommon to find overseers appointed who can neither read nor write, and in a parish in Somersetshire, out of a population of 390 persons, only three persons besides the clergyman can read or write; one of these three persons is a respectable farmer, who about three years since went to reside in the parish, and finding the parochial matters, to which he was the principal contributor, managed so grossly bad, he undertook the task of investigating the affairs himself; the usual result followed: in less than two years he reduced the rates in that parish from 400*l.* per year to 100*l.* per year.”

He would then call forward Dr. Kay, another assistant Poor-law commissioner, who had authority. In a letter dated Manchester, the 22nd of July, 1835, he said:—

“The debasing influence of the southern method of administering or rather perverting the influence of the late Poor-law” (at the time recollect it was the late Poor-law he was speaking of) “is peculiarly evident in the character of the labourers who have migrated into Lancashire when contrasted with the population long trained to industry by the manufacturers of this country.”

There was a contrast between the labourer of the south and the labourer of the north! Now, having called those two assistant Poor-law commissioners as his authority for the statements he had made,

that the old Poor-law was well and judiciously enforced, in the north, but by the negligence of the magistrates and rate-payers jointly it was carried out in the south to the injury of the poorer classes of society, he had a right to state to that House that it was a system full of hardship, a weighty system of oppression, that the poor should be punished for the sins and omissions and commissions of the rich. If the rate-payers and the magistrates of the south forgot their duty, why was that tyranny and oppression to spread itself throughout the whole breadth of the land? Why were they to be punished who had done no wrong, who had only taken advantage of the example held out to them by others? But this system of Poor-law commissioners and assistant commissioners, which was appointed to run riot throughout the south of England, to get up a case against the old law, found that they would have great difficulty in carrying out their views unless they could manage in some way or other to get rid of what they termed the “surplus population” of the south—unless they could find some mode of driving the poor from off the soil of the south of England—of liberating the claims and demands which those poor people had on the soil—those kindred claims which he regretted to have heard so lightly mentioned by the hon. Member for Droitwich when he spoke of the benefit the poor would find in becoming the slaves of this oppressive system. The people of England had a right as old, as constitutional, and—he trusted to God this country would proclaim in a voice of thunder—as long, as sound, and as legal a right as that of any hon. Member in that House to the property he possessed. That right and that claim was to the soil of the country, and the poor of the south had a right and a claim to be protected from oppression. - They had a home upon that soil to save them from destitution and want; they had more—they had homesteads on that soil; and he would tell the present proprietors in the south of England that their poorer population had been tempted into the north by that horrible system which could not be looked upon as less than an act of slavery. Many of the poor in the south of England clung with affection to their homes; they could not be driven away from the land of their birth; they knew they had a right to it, and they clung to it with steadfast feelings

of affection. What was the consequence? The assistant Poor-law commissioners recommended and advised that they should be starved out of it—that they should be driven from their homes by starvation. ["No."] Did hon. Members say "No?" What said the language of the Poor-law commissioners? ["Read."] He would read, and he hoped they would allow him a fair chance of stating the whole case which he had to bring before the House, as this Session was fast drawing to a close. He felt very strongly on this question, and he should express his opinion firmly but respectfully to that House, and was prepared to substantiate every word he uttered. He would repeat that the assistant Poor-law commissioners recommended and carried out a system of starvation, to drive the poor from the south into the north of England, into a servile state of existence horrible to think of, and of which he would give a description from the pen of the assistant Poor-law commissioner himself. It was a state of monstrous, horrible oppression, in which he participated in driving those poor wretches. For those who were in favour of this bill, it had been better not to have called on him to "read." He would now read another extract from Dr. Kay's letter, dated from Manchester, July 22, 1835. And now let hon. Members, who cried out "Read, read" when he told them that the commissioners determined to starve the poor out of the south of England, listen to the words of Dr. Kay. He said—

"Necessity must drive some of the southern population from their present homes. Some natural yearnings for country and kindred will with others have to be overcome, and the dread of an untried change to a new and monotonous occupation must be extinguished."

Had he verified his words? It was, indeed, a dreadful state for this country to be in, when a paid officer of the Government should recommend the poor to be starved out of their parishes. ["No."] What! Did hon. Members say ["No?"] Why Dr. Kay spoke of the "necessity." [Great confusion.] Let hon. Members listen. [Continued confusion.] He begged pardon of the House if they misunderstood what he had stated, he would repeat it, and if they could construe it in any other manner, he should be glad, for the honour of his country, to find that he had misinterpreted what he had read. He would trace these Poor-law commissioners in

their career. He was now tracing them during the time that they ran riot in the south, and he would follow them in their course of driving the poor from the south into the north. Some hon. Members opposite seemed rather astonished, but he would read them now a letter from a manufacturer in the north of England who was in constant communication with that assistant Poor-law commissioner who had stated that necessity must drive these poor wretches from their homes. This was a letter from Mr. R. H. Gregg to Mr. E. Chadwick, secretary to the Poor-law commissioners, and he said—

"I have for some time thought of addressing you on the same matter as my Friend Ashworth did some time ago, viz., the propriety of opening a communication between our (strange to say) underpeopled districts and the southern overpeopled ones. It is at this moment a most important suggestion, and deserves to be put into immediate operation. It must be looked on as a happy coincidence." (This was a cotton-spinner in Lancashire who wanted hands.) "It must be looked on as a happy coincidence, that at the period of depriving, or curtailing perhaps, the facilities of gaining a livelihood to the people of one-half of England, and causing a fall in their present low wages, and a scramble amongst them for employment, there should exist a difficulty in obtaining labourers at extravagant wages in these northern countries."

He asked the right hon. Baronet the Secretary of State for the Home Department, to listen to what this cotton-manufacturer said. His letter continued—

"This fortunate occurrence should be taken advantage of."

Now, he wished particularly to inform the House, that the letter from which he was then reading was inserted in the report of the Poor-law commissioners, but some parts of it had been first cut out, because they durst not allow them to appear in their report. His hon. Friend, the Member for Oldham, whom he then saw opposite, once brought that statement before the House, and moved for an un mutilated copy of the letter to be laid upon the Table, but he was unable to carry his motion, and from that day to the present it had not been fairly brought before the public. He was therefore in the dark as to certain parts of that letter; but he thought he should be able to show to that House and to the country what was the manner in which those assistant Poor-law commissioners and their friends in the



north carried on their system of kidnapping the poor in the south of England in lights so strong as to induce the House to take care that they never had the power of doing so again. The writer of the same letter continued—

"The suggestion I would make is this—that some official channel of communication should be opened in two or three of our large towns with your office (that was, the office of the Poor-law commissioners), or any office to which the more overcharged parishes might transmit lists of their families. Manufacturers short of labourers, or starting new concerns, might look over the lists and select, as they might require (for the variety of our wants is great) large families or small ones, young children, or grown-up men or widows, or orphans, &c."

That was indeed a large class to select from—"widows, orphans, young children, or grown-up men," and an "&c." at the end of it. And then the letter went on—

"If this could be done, I doubt not in a short time, as the thing became known and tried, we should gradually absorb a considerable number of the surplus labourers of the south."

That was the conspiracy of which he complained: that the manufacturers in the north should have entered into a conspiracy with the Poor-law commissioners to "absorb" the surplus population of the south. Had he, he asked hon. Members opposite who cried "read, read," stated what was not correct?—

"It must be understood at once that we cannot do with refuse population and insubordinate sturdy paupers. We should require fair play. While food is cheap and wages high," (so said this manufacturer,) "the want of education (I do not mean the ability to read and write), which few here are without, but education which may affect manners, morals, and the proper use of their advantages, is extremely felt, and to be deeply deplored."

It was not improbable that the right hon. Baronet might think he had not stated sufficient to show the conspiracy between the Poor-law commissioners and the manufacturers of the north to kidnap these poor people in the south; but he should hear another letter from a manufacturer. This was to his "respected friend Edwin Chadwick," and was from a gentleman who was somewhat notorious in the north of England as well as in the south, namely, Mr. Ashworth. It was dated—

"*Turton Bolton, 6th Month 27, 1835.*"

"Respected friend Edwin Chadwick,—Agreeable to thy request, we proceed to give thee some account of four families who have migrated from Bedlow, in Buckinghamshire, to undertake employments in our manufactures, adding such information as we have been able to obtain from them relative to their previous condition. The wages of Joseph Stevens and four children the first year was 1*l.* 5*s.*; the second, 1*l.* 9*d.*; and the third 1*l.* 13*s.* The weekly income now is 1*l.* 8*s.* Previous to their removal it averaged 14*s.* 2*d.* The Bucks people have sent a number of families to the neighbourhood of Staley-bridge, of which thou art aware. Our attention is constantly alive to this subject."

No doubt it was; they were anxious to absorb the surplus population of the south; and he would ask hon. Gentlemen on both sides to listen, because he was going to show them what was the course pursued in the manufacturing districts. He would state it without making it a party question, for he who ran might read the statements that he made that evening. He did not mean to charge the writer of the letter he had just quoted with anything unfair or unjust, but he meant to say that he had mistaken his character of an Englishman, and that he had committed an egregious mistake in becoming the tool of the Poor-law commissioners. This Mr. Ashworth continued—

"We do not apprehend any immediate danger of the working population of this district becoming too redundant by reason of any extensive emigration from the south."

He should be able to follow some of that population by and by; and he would now give the right hon. Baronet another authority from a paid agent appointed for carrying on this system of kidnapping in the south. ["Oh, oh!"] He would say that it was nothing else; and he should be glad for any hon. Member on either side of that House to give him an opportunity of answering any speech in which it was said that that was a proper manner in which to treat the poor of this country, and of exposing this most disgraceful system of tyranny. They had paid 20,000,000*l.* to put down slavery amongst the blacks, but they still had a system of slavery carried on in this country before their own eyes. The letter from which he was about to quote was from a Mr. Beard, a kind of paid agent for passing the poor from the south to the north. It happened, however, that they did not always find their

way to the office of that gentleman; for he knew it to be a fact that some of them were one night turned out of a cart at Blackstone Edge. A man was hired to carry them in a cart from Manchester; but he grew tired of his labour and turned them out at Blackstone Edge. What sort of a place that was hon. Gentlemen who were acquainted with the north of England knew full well. Now, Mr. Beard's letter was dated from "*Hope-hall, Manchester, July 7, 1835*," and was to this effect:—

"I have made a further arrangement to send twelve more strong boys and girls"—(They were to be strong, it seemed)—"And have this day been introduced to several of the great spinners from Staleybridge. Amongst others, Mr. Thomas Ashton, of Hyde, and he seems to take the soundest view of migration that I have met with."

Let them listen to this:—

"He conceives it to be impossible for too many hands to be sent. They are wanted, and must be had; and if the agricultural districts will not send them, the Irish will. I, therefore, with all due submission, beg to suggest the propriety of your taking the matter into your consideration, as some labourers were sent from Bucks in a most deplorable condition, and if this is too often repeated, migration will be greatly impeded."

They were, therefore, not to send them in this deplorable condition, lest they should put a stop to that "absorption." He should not have dared to trespass on their time, if he had not considered that he had an awful responsibility attaching to him that night, and therefore, however painful it might be to him to trespass on their time, and however he might have to claim the indulgence of the House, he was going now, fearlessly, as a Member of that House, to hold up to public reprobation, from the mouth of the man himself—an assistant Poor-law commissioner, a paid agent of the Government of this country—for having assisted in kidnapping the poor, ignorant, deluded, starving wretches of the south of England into a state which they should hear described from that commissioner's own lips, in his own pamphlet—a state, indeed, of slavery, more horrible than was ever met with in a land of freedom. The writer of that pamphlet, Dr. Kay, was acting and practising as a physician in Manchester. He saw the frightful state in which the working classes existed, and he then appealed to the people of England to come forward

with their Christianity and rescue them from their dreadful state, and his appeal should that night be quoted in the House of Commons as showing the true state of that society—that slavery into which the labourers from the south of England were sold by parties whose paid agent he afterwards became. He would now read some extracts from the work published by that assistant Poor-law commissioner, entitled *The Moral and Physical Conditions of the Working Classes*. In that work Dr. Kay said,—

"Instructed in the fatal secret of subsisting on what is barely necessary to life, the labouring classes have ceased to entertain a laudable pride in furnishing their houses and in multiplying the decent comforts which minister to happiness."

"When this example is considered in connexion with the unremitted labour of the whole population engaged in the various branches of the cotton manufacture, our wonder will be less excited by their fatal demoralization. Prolonged and exhausting labour, continued from day to day, and from year to year, is not calculated to develop the intellectual or moral faculties of man. The dull routine of a ceaseless drudgery, in which the same mechanical process is incessantly repeated, resembles the torment of Sisyphus—the toil, like the rock, recoils perpetually on the wearied operative. The mind gathers neither stores nor strength from the constant extension and retraction of the same muscles. The intellect slumbers in supine inertness, but the grosser parts of our nature attain a rank development. To condemn man to such severity of toil is, in some measure, to cultivate in him the habits of an animal. He becomes reckless. He disregards the distinguishing appetites and habits of his species. He neglects the comforts and delicacies of life. He lives in squalid wretchedness, on meagre food, and expends his superfluous gains in debauchery."

There was a state into which Dr. Kay was employed to draw those poor creatures from the south of England—from their green fields and shaded lanes, their homesteads and their friends, although they had been guilty of no wrong. But he continued—

"The family sits round the table, and each rapidly appropriates his portion on a plate, or they all plunge their spoons into the dish, and with an animal eagerness satisfy the cravings of their appetite."

And then let those hon. Members who upheld that transportation from the south of England hear what Dr. Kay went on to state:—

"Hence, besides the negative results—the

total abstraction of every moral and intellectual stimulus—the absence of variety—banishment from the grateful air and the cheering influences of light—the physical energies are exhausted by incessant toil and imperfect nutrition. Having been subjected to the prolonged labour of an animal—his physical energy wasted—his mind in supine inaction—the artizan has neither moral dignity nor intellectual nor organic strength to resist the seductions of appetite. His wife and children, too frequently subjected to the same process, are unable to cheer his remaining moments of leisure. Domestic economy is neglected—domestic comforts are unknown. A meal of the coarsest food is prepared with heedless haste, and devoured with equal precipitation. Home has no other relation to him than that of shelter—few pleasures are there—it chiefly presents to him a scene of physical exhaustion, from which he is glad to escape. Himself impotent of all the distinguishing aims of his species, he sinks into sensual sloth, or revels in more degrading licentiousness. His house is ill furnished, uncleanly, often ill ventilated, perhaps damp; his food, from want of forethought and domestic economy, is meagre and innutritious; he is debilitated and hypochondriacal, and falls the victim of dissipation.”

Dr. Kay, speaking of a district of Manchester, said—

“This district has been frequently the haunt of hordes of thieves and desperadoes, who defied the law, and is always inhabited by a class resembling savages in their appetites and habits. It is surrounded on every side by some of the largest factories of the town, whose chimnies vomit forth dense clouds of smoke, which hang heavily over this insalubrious region.”

Speaking of other parts of Manchester, he said—

“These districts are inhabited by a turbulent population, which, rendered reckless by dissipation and want, misled by the secret intrigues and excited by the inflammatory harangues of demagogues, —”

[“Hear, hear.”] Hon. Members cried “hear, hear.” He could put his finger on some of those demagogues. [*Cheers.*] He knew what that cheer meant; but he challenged any hon. Member to place his finger on one word that he had ever uttered, either in public or in private, but what was calculated to excite loyalty to his Queen and obedience to the laws of the land. He would say, “Go thou and do likewise.” Dr. Kay said, that the population of those districts had

“Frequently committed daring assaults on the liberty of more peaceful portions of the working classes, and the most frightful de-

vastation on the property of their masters. Machines have been broken, and factories gutted and burned at mid-day, and the riotous crowd has dispersed ere the insufficient body of police arrived at the scene of disturbance. The civic force of the town is totally inadequate to maintain the peace, and to defend property from the attacks of lawless depredators.”

And then Dr. Kay went on to say—

“Though they labour fourteen hours and upwards daily, they earn only from 5s. to 7s. or 8s. per week.”

And then, assuming the population of Manchester to be 230,000, he stated—

“More than one-half of its inhabitants are either so destitute or so degraded as to require the assistance of public charity in bringing their offspring into the world.”

He then went on to say—

“The children thus adopted by the public are often neglected by their parents. The early age at which girls are admitted into the factories prevents their acquiring much knowledge of domestic economy; and even supposing them to have had accidental opportunities of making this acquisition, the extent to which women are employed in the mills does not, even after marriage, permit the general application of its principles.”

Now, he would only give one more quotation from this assistant Poor-law commissioner. Speaking of the view which a stranger might take of this state of things, he said—

“When he turns from the great capitalists, he contemplates the fearful strength only of that multitude of the labouring population, which lies like a slumbering giant at their feet. He has heard of the turbulent riots of the people—of machine-breaking—of the secret and sullen organization which has suddenly lit the torch of incendiarism, or well nigh uplifted the arm of rebellion in the land. He remembers that political desperadoes have ever loved to tempt this population to the hazards of the swindling game of revolution, and have scarcely failed. In the midst of so much opulence, however, he has disbelieved the cry of need.”

This was the language of a now assistant Poor-law commissioner giving an account of the manufacturing district of Lancashire. Yes, this was his language before he became an assistant Poor-law commissioner, when he was a physician practising at Manchester, with every chance of obtaining an intimate acquaintance with the condition of the poor; and this was what he said, speaking from his own ocular demonstration—this was the

agent and assistant commissioner of those men whom the House were now called upon to re-invest with an exorbitant power for another five years—this was the man who afterwards became the agent of the Poor-law commissioners in kidnapping, or, if the House liked a more mild phrase, in transporting, the poor from the south into the north of England. He said in his report of the 22nd July, 1835—

“It is certainly grateful to a benevolent mind”—(to the benevolent mind of Dr. Kay)—“to have (with whatever partial mingling of ills) to offer so great a boon as thrice the amount of the present earnings and parish allowance of the southern labour; independent industry for pauperism; abundance for starvation; a home of comfort for a hovel of wretchedness.”

Now, would any hon. Member, after the exposure which he had that evening made of this assistant Poor-law commissioner, presume so far on the patience—he would say on the indulgence—of the House, as to venture to stand up in his place and ask them to sanction the authority—it was more than authority, it was reckless power, that the Poor-law commissioners had been invested with—to sanction the reckless power of these men for another five years? Were the poor of the south absorbed? Would the Poor-law commissioners come to the Bar of the House and say that they were absorbed—that there was to be no more kidnapping for the purpose of fixing them in a state of slavery under the manufacturers of the north? Would those gentlemen and their assistants come forward and say that they were deeply sorry for the offence of which they had been guilty—for offence it surely was in this Christian country—in being participators in passing the poor of the south from the land of their home to endure slavery amidst the scenes he had described? He would now, with the permission of the House, ask a question, the answer to which he looked for from the right hon. Baronet (Sir J. Graham). Where were the poor who had been transported from the south to the north? Where were they at that moment? Had the Poor-law commissioners rendered any return of those who had died, or were dying? or of those who were suffering starvation? or of those who had been torn limb from limb by machinery, and who were wandering as cripples through the country? This was the question he

asked, and this was a question which the House of Commons ought to have an answer to. They ought to demand from the right hon. Secretary for the Home Department a full and complete answer. It was no trifling question, or one relating to a small body of the people of this country. Tens of thousands had been passed, in the prosecution of this hideous scheme, from their homes in the south to the manufacturing districts. What was their fate? Had the right hon. Baronet any cheering accounts to give of them to their friends? Had he any account to give? Did the Poor-law commissioners know anything about what had happened to these poor people—were they able to tell the country anything about them? What had become of them? Were they wandering through the country wretched outcasts, after having been told by assistant Poor-law commissioners Kay and Mott that they should never know want? Could the right hon. Baronet render any account of them? Because, if he could not, then he (Mr. Ferrand) called upon the House not to repose any further confidence as to this matter in the right hon. Baronet. He would tell the right hon. Baronet that it was his belief that the country would not agree to maintain this system much longer. They would not see much longer the constitutional laws of this country and the laws of the Bible at once trampled under the feet of this triumvirate. It was said in that holy book, “Vengeance is mine, saith the Lord, I will repay.” And would He not bring on a retribution for these things? Has He yet repaid? Let the House look to what had been the state of the country since the New Poor-law came into operation in the northern part of this kingdom. The effect of the law had been to break through the old-established laws of this country, as well as those of the Bible itself, which enjoined men to “succour the poor and needy,” and to put these poor men from the moment they left the land of their birth into the hands of men who rolled in exorbitant wealth, and which he might say was their idol, and who cared not for the poor. What had been the result? From that moment the trade of the district had sunk; it had decayed from day to day, from year to year, in a continuous decline. If the House was to be guided by the laws of religion, there was surely something for them to study in this

result. But he had another point which he was desirous of bringing under the attention of the House. These poor wretches had been passed from their homes in the south into the manufacturing districts of the north, not for their own welfare, but in order to save eventually the pockets of the rate-payers of the southern parts of England. Now, he had watched the annual reports of the Poor-law commissioners, and the burden of their song had been that they had saved a large sum to the country. In their last report they said, that in the year 1841 they had saved, as compared with the year 1834, the year previous to the passing of the act, 1,566,326*l*. When this act was first brought forward, its chief advocates declared that there was no determination to carry it out oppressively; that there was no intention to separate man and wife in the union workhouses; or to tear the child from the bosom of its mother. He would quote a passage from a speech of Lord Brougham:—

“He had to give the most distinct, unequivocal, and peremptory contradiction to the statement relative to the alleged separation of families in contemplation under the proposed plan. No one ever entertained such an intention; but undoubtedly one or two workhouses in the union would be converted into hospitals, and the sound would not be shut up with the sick as heretofore. This was all the separation that could be contemplated. No child of an age to require nurture would be separated from its parent, nor would husband and wife be parted.”

That was the language of Lord Brougham, the parent of the New Poor-law, in the debate on the Stoke Poges petition; and on the points there noticed he called on both sides of the House to express their opinions fully and frankly. He would next ask the right hon. Baronet another question. Had the Poor-law commissioners been enabled to carry out this law in the north of England? Were they able to carry it out there? That was the question to be decided. They had attempted to carry it out there, and they had failed, and they knew that it was utterly impossible to carry it out there even if every rate-payer in the country would lend his willing aid; and if the enactment was as just as it was unjust, the Poor-law commissioners knew that they could not carry it out there, because the mass of the population would prevent them. But he had a particular charge against the commission-

ers. In direct violation of their last report they had attempted to carry out the New Poor-law in his own union, and in a manner more unjust and more arbitrary than in any case that he had ever heard of. He found, from the last report of the Poor-law commissioners, that the order prohibiting out-door relief to the able-bodied and limiting their relief to the workhouse is inapplicable under two sets of circumstances—first, where the permanent state of the union is such as not to admit of its issue; secondly where the ordinary state of the union admits of its enforcement, but the workhouse is temporarily full. Now, he resided in a large manufacturing district inhabited by a population of somewhere about 50,000 souls, and yet, depressed as trade had been, ruinous as the poor-rates had been, in that district, the Poor-law commissioners, knowing all this, for the purpose of attempting to practise their absurd and ridiculous ideas on this subject, had issued to the guardians a prohibition of out-door relief. They had ordered that no able-bodied person should have one farthing's relief unless he threw up all the work he had and went into the workhouse. This order was put in force on Monday week, but it was his opinion if the commissioners persisted in enforcing it, a worse state of ruin would instantly ensue. They would find that the poor, instead of being summoned by hundreds as at present before the magistrates for not paying poor-rates, would be summoned by thousands; instead of summoning them by hundreds because they could not pay 2*s*. 6*d*. a week, they would be summoned by thousands for not paying a less sum. A short time before leaving his own union to come up to town, he was told of the following case: A poor man who had not had any work for weeks, was summoned before the magistrates, to show cause why he did not pay his poor-rates. He found the man one day standing at the door of the board of guardians of the union, and upon his questioning him, he said that he was out of work and had 3*s*. a week allowance from the board, which he had just got, but that as he was coming out he was met by an officer, who deducted 2*s*. 2*d*. for poor-rates, so that he was only left 10*d*. to keep himself and his wife and family for the whole week, and all for having been summoned to pay rates which he was unable to pay. This he found to

be correct upon going back to the board, and he must tell the House that, in his opinion, hundreds of thousands, if the Poor-law were to be carried out in the north of England would be subjected to the same distress as this poor man. But with respect to another point, he asked, was it not a monstrous cruelty which they enforced upon aged people, that at seventy, or eighty, or ninety years of age, and he knew many persons of that age, they were to be turned from their homes under the direction of the Poor-law commissioners, who were not acquainted with their circumstances, or left to starve? This was so, for there had been a distinct order that no allowance should be made to them for the rent of their cottages. This was most unjust, because there was many a loyal old person, who, after paying poor-rates all their lives, and who were now no longer able to help themselves, and yet were to be left to starve. But he asked whether it was not the duty of the rate-payers to take care that these persons should not be taken from their homes and crowded in a bastille? How, then, was the right hon. Baronet to carry out the law in the north of England? Was he aware, that in an union not twenty miles distant from his part of the country the relieving officer went his rounds under the protection of a troop of cavalry? Was this living in the light of the Constitution, as the right hon. Gentleman had pledged himself to do when he accepted office? Was it according to the laws and usages of England that your relieving officers should go about under guard of a troop of cavalry, so odious were they? The people in the north of England said, "Leave us to ourselves; we challenge you to produce one single act of injustice to the poor or to the rate-payers ever committed by us during the time that we had the administration of our own poor." He appealed to the House generally. It was not more than twelve months since they had appeared on the hustings before their constituents. They had all made great professions there of opposition to this tyrannical law, and detestation of the Poor-law commissioners and their myrmidons. He wanted to know if they were determined to stand to their professions. The electors of England were not an arbitrary body of men, they were easily satisfied; and if the House did its duty to its constituents, this bill would never pass into a law. He told the Mem-

ber for Montrose that it was so, and he hoped, at any rate, that they were not ready to vote black was white. If they were true to their promises, this bill would never disgrace the statute-book, and the country would not be again handed over to the arbitrary legislation of the officials of Somerset-house.

*Sir James Graham:* Sir, if I understood the hon. Member who has just sat down correctly, he asked what Member would, after he had addressed the House, presume to press for the second reading of this bill. Not daunted, however, by the vehemence of the hon. Gentleman's manner, I am quite prepared to press upon the House the policy, the necessity, and the justice of passing this measure. I have been pained and astonished by some remarks which the hon. Gentleman has made on a most faithful servant of the public. Dr. Kay was unknown to me until I was placed by the favour of her Majesty in the office which I now have the honour to hold. The hon. Member spoke of "the benevolent mind of Dr. Kay" with something of a sneer. Now, I must say, that if ever there was a public servant who was faithful to his trust, of whose acquirements any gentleman might justly be proud; and whose charity, and benevolence, and kindness to the poor were conspicuous, I should name Dr. Kay as the man. That gentleman is not my private friend. I know him only as a public servant, but I think I should betray my duty if I did not stand forward to defend from attack the character of an absent man, with whom I have in every respect, so much cause to be satisfied. Now, with respect to the conduct of Dr. Kay in a matter more immediately under the cognizance of the House,—in order duly to understand that conduct dates are most important. In regard to the first passage cited by the hon. Gentleman, I really must say that I think he placed a most incorrect construction upon the words which he read to the House. Dr. Kay was speaking of the condition in 1832 of the labouring classes in certain agricultural districts. [*Mr. Ferrand:* in Manchester.] No, not Manchester. I think I am not wrong in my comprehension of what fell from the hon. Member. I understood the hon. Member to have cited particular words, which I think I took correctly,—that speaking of the condition of the labouring poor in certain agricultural districts, (I believe Buckinghamshire or Bedfordshire) the words of Dr. Kay were,

"Necessity must drive some of this population from their homes."

Now, the hon. Gentleman attempted to put a gloss upon those words, the effect of which was to impute to Dr. Kay that he intended to say, that the time referred to was a very advantageous opportunity—one which ought not to be lost—of forcing from their homes and into another district this population who were so circumstanced. I will at once say, that I think this was a most unfair construction to put upon those words of Dr. Kay. That gentleman was stating a fact, not using an argument—and he was describing the condition to which, in the southern parts of England, the labouring population were at that time reduced; and if the real cause of that condition were to be inquired into it would be found to be the abuses of the old Poor-law as it existed before the introduction of the present law. Talk of the slavery, of the tyranny, of the oppression which the labouring classes now suffer under the new law! I must call the attention of the House to the condition of those classes in Bedfordshire and Buckinghamshire at the particular time to which the extract refers. Does the House forget what that was? I think it is recorded that in one workhouse in Bedfordshire there were fifty or sixty able-bodied men in close confinement, desiring labour but obtaining none. Even in Sussex what was the state of the labouring classes there? Why, that they were working in gravel-pits, dragging their trucks like beasts of burden. This was the condition of those classes when the act was introduced—this was the condition in which Dr. Kay found them, and which led him to say that necessity must soon drive some of them from their homes. It was at a very considerable time after that the migration which has been spoken of took place. It was at a period of unexampled prosperity in the manufacturing districts. Dr. Kay had himself an opportunity of observing in the manufacturing districts the improved condition of these people. For a time they worked well, they shared the prosperity of the district, they were faithful, and their condition was changed to this state from a state of oppression under which they had suffered in the agricultural districts where the system of roundsmen prevailed—where they worked, not according to their own wishes, but were reduced to take what they could get. They changed their former unhappy condition for several years of prosperity while the season of

manufacturing prosperity continued; they had their cottages, and ample wages; they subsisted in comfort; and it was not until the unhappy revulsion which occurred in those districts that they were reduced once again to reap the fruits of comparative misery; and I repeat, that I never knew of more strenuous efforts made by a public servant than those which were made by Dr. Kay to improve the condition and alleviate the miseries of his suffering fellow-countrymen. The hon. Gentleman has put to me several questions, and particularly he has asked me about the administration of the law by the Poor-law Commissioners in the North of England. I admit that the prohibitory order in many districts in the North of England, more especially in the manufacturing districts, has not been acted upon. I have always contended for the necessity of investing the Poor-law Commissioners with a discretionary power; and if I required any test of their fitness for the office which they hold, I know of no one stronger or more safe than the prudence with which they have issued, or abstained from issuing, that order. But does the hon. Gentleman really mean to contend that the poor, in the midst of the misfortunes with which they are at present surrounded, should be taught to believe that they have an absolute indefeasible right to relief without any condition whatever? Does he really mean to say, that there exists a right in able-bodied men to claim and obtain relief for their distress without any test being imposed upon them? [Mr. Ferrand: No.] The hon. Member says no. [Mr. Ferrand: In my district it is in force.] Then I tell him that there the prohibitory order is not in force, but the outdoor relief order. Let us see how the case stands. The hon. Member objects to the prohibitory order which applies a test of work, and he cites the case of his own union, in which that order is not issued. There is, however, in that union what is called the out-door labourer order, and what is that? Why, simply this—that no able-bodied man shall receive relief from the union without a task of work to be performed, not in the workhouse, but under the direction of the relieving officer. That is a test, though not a test applied in the workhouse; but if you give relief, not in consideration of work done out of the workhouse, but without work at all, then you establish that dangerous doctrine of the indefeasible right to relief. You call it relief, but you had much better call it sub-

sistence upon the industry of others. A more dangerous doctrine, one more degrading—one not only subversive of the rights of property, but destructive of all order, and, therefore, inconsistent with the well-being of the labouring classes themselves,—has never been propounded in any legislative assembly. But the hon. Member cited the report of Mr. Mott, the Assistant Poor-law Commissioner, and that report is one entitled to great respect. I hold in my hand a report from Mr. Mott as to the present state and condition of this very union of Keighly, about which the hon. Member said so much. I must say, that it is unwillingly I am thus drawn from the general consideration of the measure to this local subject; but it is my duty to answer the hon. Gentleman, and to tell him what are the real circumstances attending the out-door relief order in the Keighley Union. This is, however, quite apposite to the matter in hand, for I could not have a better evidence than the history of this union affords to show the absolute necessity of some superintending control over local authorities—that which I contend is the essence and spirit of the measure the second reading of which, and therefore its principle, we are now discussing. This report of Mr. Mott is dated the 23rd of April last. Mr. Mott says, speaking of this union:—

“Relief in aid of wages is generally given and payment of rents to an alarming extent. The workhouses are not subject to either classification or discipline. All the errors of the old Poor-law are followed. The paupers claim relief as their right. I need scarcely add that the rates are fast increasing. To show the mischievous extent to which the practice of paying rent has arrived, I submit the following notice, which was brought to the meeting of the guardians by a pauper, and submitted on his behalf by one of the relieving officers:—‘I hereby certify, that Edward Walton will be indebted to his landlord, the Rev. John Severe, one year’s rent, 3*l.* 3*s.*, on the 13th day of May next.’”

[Lord John Russell; When was this?] In April of the present year. Mr. Mott goes on:—

“On complaining of the deviation from the provisions of the law, the guardians stated that it arose from the interference of the magistrates.”

Now this is the result of the objection to the “three kings of Somerset-house,”—this is the result of a wish to revert to the local magistracy, those who can get an easy character for great humanity, those who can obtain the title of the “poor man’s

friend,”—this is the result of giving the power of issuing orders of relief which are to be administered by third parties. Mr. Mott goes on:—

“I was surprised to find, that an opinion prevailed amongst the guardians that their proceedings in granting relief were subject to the control of the magistrates, and a case was named in which, where the guardians had granted 9*s.* per week to an able-bodied man and his family, the magistrates had interfered and obtained a further relief of clogs, &c. The guardians even stated, that the magistrates had fixed the ‘scale’ by which they were to be guided in granting relief to able-bodied paupers.”

This report is dated on the 23rd of April in the present year; and this is the state of things in the north of England; the very district which is favoured by the presence of the hon. Member himself, and here you have the very word “scale” adopted, which has been, it seems, exploded in the south. Mr. Mott, and bear in mind that he is an authority with the hon. Gentleman, goes on to say:—

“The Keighley Union affords a forcible illustration of the impossibility of any union or parish being depended upon to carry out the provisions of the Poor-law without a powerful control. The report of the Commissioners of Inquiry into the old system of Poor-law management has been sent to every union formed under your board; the ruinous results of such a system have been repeatedly pointed out; the mischievous effects of the power given to the magistrates under the old system of relief have all been printed and widely circulated in every union placed by your board under the provisions of the Poor-law Amendment Act. No man can plead ignorance of them, and yet the Guardians of the Keighley Union, without, as I verily believe, the least intention of doing wrong, have introduced the worst features of the old Poor-law, under the belief that they were still under the control of the magistrates to whose directions they were bound to submit.”

So much for the Keighley Union. And if I were not fearful of troubling the House too much, I would go further; for perhaps the hon. Member would like me to complete the picture of the Keighley Union. [“Go on!”] Well, I will go on—having shown what is the mismanagement in this union, I will expose some of the jobbing that has taken place there. I continue to read from Mr. Mott’s report. He says—

“Amongst the other extraordinary proceedings of the Guardians of the Keighley Union may be named the encouragement given to lawyers to create legal disputes.”



My hon. Friend the Member for Macclesfield complained of the manner in which the lawyers were excluded from all adjudication under the management of the existing law. Now we will see how they do act where they are employed—not by the “three kings of Somerset-house,” but under the authority of the local magistracy. Mr. Mott says:—

“The clerk is himself a solicitor, but being paid an inadequate salary (70*l.* per year), an inducement is offered to obtain additional remuneration by legal fees. The other attornies of the town were generally desirous of obtaining a share in the profits, and on the 6th of May, 1840, I find, by the minute-book of the guardians, an encouragement given to excite litigation by the following singular resolution:—‘Ordered, that the trial of settlement cases for Keighley be given to the attornies of the town in rotation.’ This plan does not appear to have suited the legal gentlemen, and, doubtless, the most profitable appeals may have been selected to take place at certain periods. An alteration was therefore desired, and accordingly, eighteen months afterwards, namely, on the 13th of October, 1841, the guardians further assisted the views of the attornies by the following resolution:—‘The order of the 6th of May, 1840, having been attended by some inconvenience, ordered, that the attornies be so employed annually after the present sessions;’ with such support from the guardians it is not to be wondered at that unfortunate Keighley is suffering severely from legal disputes. One of the Keighley guardians complained that the lawyers’ bills for that town the last year would not be much less than 500*l.*”

The hon. Member asked me questions with regard to the Keighley Union, and I have given him the best answer I could. The hon. Gentleman also mentioned that relief was given—as was unfortunately the case—in the neighbourhood of Keighley within the last fortnight, aided by the presence of a body of cavalry. Now I am free to state to the House, that in the district in question, where very great distress undoubtedly prevails, there has been an extreme difficulty within the last month in carrying the Poor-law into effect. But in regard to this subject, I am not now about to cite the information furnished by the Assistant Poor-law Commissioners, but that received from another party. In saying this, I beg it to be understood that I am not, for a moment, disposed in the least degree to disparage those gentlemen, on whose reports I, for one, speaking from experience, am ever ready to rely with confidence. They are not gentlemen nominated by me, or in any way connected with

my political friends; they are persons nominated by my political opponents, but in no case, as far as I can judge, have they been selected for political reasons. I consider them as highly honourable, well-educated, able men, fully entitled to the confidence of that Government under which they are now employed. The information I am about to repeat, however, came, not from one of the Assistant Poor-law Commissioners, but from a local magistrate, a gentleman who was present at the scene which has been spoken of. I have already stated to the House how dangerous I consider the doctrine of an absolute right to relief, without any previous test whatever being applied, or any labour exacted, as the condition of relief; and I will now state to the House what was the report of a magistrate who was present at the unhappy scene which has been mentioned. His words were:—

“I take the opportunity of stating to you, that after a strict inquiry into the disturbance which occurred on Tuesday, the 31st of May, we find that the men most prominent in that movement had, or might have had, ample employment for the support of themselves and families; and, indeed, that these men have actually hired other men, who were at work, to swell their begging party. I may add, on this subject, that I do not in the least anticipate any serious outbreak. No doubt considerable distress exists, but the people bear it with great patience, and we have to-day taken care that relief is afforded at once, amply, and satisfactorily. The people, when left to themselves, are patient, obedient to the law, exemplary in their conduct; it is only when acting under excitement by persons not in destitution—who tell them they are slaves—that their condition is that of slavery—that they are oppressed by grievous wrongs—and it is only gross tyranny which refuses them relief when they ask it; it is, in short, men of a higher station, who, raising up in the people’s minds unlawful and unreasonable expectations, produce the dangers and inconveniences of which I have spoken.”

It was not my intention to have addressed the House at this period, but having heard a gentleman for whom I entertain very high respect spoken of in a violent and most unjust manner, I was induced to rise; and now, being on my legs, I will take the opportunity of shortly pointing out what has hitherto been overlooked in the discussion which has taken place. I beg to remind hon. Gentlemen, however, that we are not now discussing the details of the bill which are for the committee. My hon. friend the Member for Droitwich has complained

of the absence of certain clauses. In his admirable speech he pointed out many reasons why this bill ought to be read a second time, and in the main he approved of it. But he also, anticipating the duty of the committee, urged upon the House the propriety of adopting certain rating clauses. I have already stated that I purposely excluded all such clauses; I think the bill, as it is, is quite sufficiently laden with matter, and will give the House quite enough subject for consideration, independent of the subject of rating; but I have also stated, that if it should then still be my duty officially to discharge the functions now imposed on me, I shall consider it indispensable, at an early period of the next Session, to bring forward a measure dealing with the whole question of settlement and rating, as essential to the full carrying out of the system. Again, the hon. and gallant Commodore opposite, who, I am surprised to hear, is going to vote against the second reading, after the evidence he has given of the satisfactory working of the plan in the union with which he is connected, complained of certain clauses in the bill which have reference to the maintenance of bastard children by their putative fathers; a matter no doubt well worthy of consideration, but which will come properly before the House when in committee. The hon. Member for Macclesfield also complains of the size of the unions. I have endeavoured to deal with that question. I may not have done so in a manner that will be satisfactory to the House, but it will be a matter for the consideration of the House in committee whether a better mode can be devised than that which I have proposed. Then, again, the hon. and gallant Gentleman who seconded the motion that is made in opposition to the bill, complains of the bill as far as relates to the Gilbert unions. [Captain Pechell: I object to the whole.] And who are the two hon. Gentlemen who have moved and seconded the rejection of this bill? I speak with the utmost respect for the hon. Member for Rochdale. I should be ashamed not to say that, although an Irish gentleman, he was fully able to deal with every subject of legislation, but as an Irish gentleman the hon. Member can not be practically acquainted with the working of the measure; and, by a strange coincidence, he is the representative of one of the manufacturing towns of large size which are not under the operation of this law.

Who is the hon. Gentleman who seconds the motion of the hon. gentleman the Member for Rochdale? Why, he is the representative of a town which is governed under a local act, and which has hitherto had no experience of the working of the present law. Now, speaking generally, I must say that those who have had the longest experience of the present law will be amongst those who are in the main the best and firmest supporters of this measure. I am prepared practically to admit that the point to be considered upon the second reading of this bill is chiefly centered in this short question—"Will you, or will you not, continue the control of the central commission?"—Every other question may be regarded as a question of detail. I will moreover add, that the bill is so framed that after the House shall have agreed to continue the commission, all the other clauses are, I think I might almost say without any exception, clauses which mitigate the rigour of the existing law. Without a single exception they are either clauses of mitigation, or clauses which may be made so to a very great extent. I beg the House not to forget this, that you may defeat the continuance of the commission, but that if you do so, the effect will be to put an end to control and introduce confusion; and having introduced confusion you will not be likely to mitigate the law. I shall now state to the House two or three reasons in support of the main principles of this bill. Its object first of all is to bring into general operation gradually, and therefore safely, a great alteration in the system of the relief of the poor. If you do not proceed by some such control as it enacts in immediate connexion with the Executive Government, you must legislate *brevi manu* upon some general principle, and the circumstances in the condition of the working classes are so different in different quarters—I had almost said so opposite—that any such general enactment, not proceeding upon experience, and not considered with due caution, would be dangerous in the extreme. I say that you can devise no means so good as this central commission; and when hon. Gentlemen come to talk of remedies, they really propose something so very like this commission, that it is hardly to be distinguished from it. What said the hon. Member for Rochdale? Why, that he should like to have a perambulatory commission. He objects to a central control, but he thinks that there

should be commissioners who would go circuit, which, under another name, is nothing but the assistant-commissioners without the central control. What does the hon. Member for Macclesfield propose? He proposes to have, as in the case of the factory commission, district commissioners, which under another name is but the suggestion of the hon. Member for Rochdale—namely, assistant-commissioners, only uncontrolled by a central commission. I now pass to my second reason for supporting a central control. I assert what has been proved by experience, that what may be found to be injurious in one union may, through the central government, be instantly stopped in every union throughout the kingdom. This, I say, is an immense advantage, and an advantage which can only be obtained by means of a central management in connexion with and under the control of the Executive Government. My third reason is, that for every act of an illegal character for which this authority is responsible, they can be promptly brought under the jurisdiction of the supreme courts of law in this country. It is vain, therefore, to say, that those commissioners are not a responsible body. They are bound to administer the law as it is enacted, and if they should be guilty of the slightest infraction of that law, they can be made responsible for it before the supreme tribunals of the land. It is impossible to legislate upon the minute details of a measure of this kind, the regulations of the workhouse, the dietary of its inmates, and all those minute particulars on which in the main the useful execution of the law depends; and it would be still more impossible for the Executive, without a commission of this kind and controlled by them, safely or beneficially to carry the law into operation. My last and strongest reason, which I have illustrated by a recent specimen of the results that ensued from the appearance of magistrates in the Keighley union, and that is only one instance amongst hundreds of what took place when the country generally was under the control of the magistracy;—my last reason is that, if you remove the central authority, you must revert to that local authority of the magistracy, and, with the return of that control of the local magistrates, I am certain you will open those floodgates which will let in upon the country all the abuses which it is the object of the law to put an end to; and I am also certain that the second condition

of the labouring classes under such a change will, if possible, be worse than the first. Upon the most conscientious and guarded view which I have been able to give to the subject, it appears to me that the original enactment in the main is right, and believing it to be right I feel perfectly regardless of any imputations that may be cast upon myself individually, or upon the motives by which I am governed, and I should betray my duty if I for one moment hesitated to urge upon the House the second reading of this bill.

Mr. *Ferrand*, in explanation, wished to say, as a magistrate of the Keighley Union, as chairman of a board of guardians, and as a Member of that House, that that report of the Poor-law commissioners was grossly unfounded.

Mr. *S. Wortley* said, that the House was now called upon to decide what might be considered the main principle of the bill, namely, whether the Poor-law system of this country should be for the future as it had been for some time past, submitted to a central superintendence; and in briefly expressing his opinion on the subject, he was anxious to show that he was prepared to the fullest extent to act up to any profession that he, at least, had made upon the hustings. He might have been supposed to have proclaimed strong opinions upon this subject. He certainly had proclaimed decisive opinions, founded upon strong convictions, but he had never thought it necessary, nor should he on the present occasion deem it necessary, to express those decided opinions in a manner likely to prove inflammatory, or to cast reflections upon others, because their opinions happened to differ from his own. He must observe, that he did not think such a course was conducive to the good of the cause they had in hand; and he should belie his conviction, if he were to say, that the right hon. Baronet at the head of the Home Department, the Poor-law commissioners, and the assistant-commissioners themselves, were what they had been represented to be—tyrants and demons. He believed no such thing. He differed widely and strongly from those individuals who used such language, and he conceived they were taking a mistaken view of the question. They might be pursuing that plan which they considered conducive to the interests of the lower classes, but they were not on that account entitled to impute motives to the conduct of others.

With respect to the immediate question before the House, he was prepared to take it upon the footing upon which the right hon. Baronet had placed it,—namely, whether the administration of the Poor-law in this country should be for the future submitted to the control of a central commission? He had no hesitation in saying, that it would be quite consistent for any hon. Member who thought with him that it was absolutely impossible—that, in a legislative sense, it was perfectly impracticable to sweep away the system under which the Poor-law was at present administered, to admit the second reading of this bill, and endeavour so to alter it in committee as to adapt it to his own views. The bill proposed to continue the commission for a limited period, and further to amend the laws relating to the poor of England. Now, he was prepared to admit, as on all occasions he had admitted, that it would be almost impracticable, and if practicable, impolitic, to suffer this Poor-law commission to expire at the present moment. He had always contended, too, that it would be impossible to repeal the Poor-law Act as it at present stood; but that did not preclude him from entertaining the strongest objection to the principle and views upon which this bill had been brought into the House; because, although he might be justified in saying, that he should now vote for the bill, and look to the committee for that limitation to the period of the commission which he desired to see effected, still he thought, that in considering and making up their minds upon the subject, they were bound to be guided, not merely by the letter of the bill itself, but by the language with which it was introduced, by the principle it went to continue, and by the prospects which were held out by the Minister from whom it proceeded. Under these circumstances what did he find? That reasons which the right hon. Baronet deemed insuperable had been advanced by him in favour of a superintending control. He was, therefore, bound to consider whether, if he voted for the second reading of the bill, he thereby pledged himself to an opinion in favour of the expediency of continuing such control in the abstract sense; because that was a principle to which he never could give his consent. He thought that the commission might be justified by an emergency, but that its existence should not be prolonged one moment beyond that

emergency. He was aware, that in some parts of the country abuses had become so interwoven with society as to render a strong and decisive remedy indispensable; and so far as those parts of the country, and those abuses were concerned, he had no hesitation in admitting, that it might have been necessary to invest somewhere an authority such as that possessed by the Poor-law commissioners. But he was not, therefore, compelled to admit, that body having been constituted, that they were to forget its origin, to forget the grounds upon which it had been created, and to reconcile themselves to the permanent continuance of it as if it were a body which was in entire accordance with the spirit of the constitution. He was aware, that arbitrary acts, such as the suspension of the *habeas corpus* and the Coercion Bill, had been resorted to by the executive for express purpose of meeting certain cases; but in all instances they had been regarded and treated as only temporary. He repeated, therefore, that although he might think it necessary to submit to the continuance of such an authority as they had now to deal with, an authority empowered to issue statutes and laws for the purposes of effecting a reformation of certain abuses—although he might think it right to submit to it with a view to the exigencies upon which it was first established, he could not be thereby bound—he was not thereby bound—to regard it as an integral part of the institutions of the country. When the question was last discussed, some hon. Gentlemen who thought that this commission could not be dispensed with, said, that a board of guardians having had the question referred to them, at once avowed that this superintendence was necessary; stating, that if deprived of the assistance it afforded, it would be driven into abuses which their own conviction would induce them, if possible, to avoid. But he held that to be no reason whatever, if they looked to the more permanent view of the question, and to what ought to be the object of a Legislature in providing a machinery for the management of a great system. Were they to assume, that in all future times those natural established functionaries in whom that machinery was to be found were incapable of performing their functions? He considered that it should be the object of the Legislature gradually, but as certainly as possible, to adapt the system to the existing machi-

nery, and so guide and instruct those by whom it ought to be administered, that they should meet the responsibility placed upon them by their position in society, and so bring about a mutual state of things by leaving the subject in the hands of those to whom it properly belonged,—namely, the local authorities. In looking through this bill, he observed, that it was not without improvements on the existing law. He might refer particularly to that by which sick persons were entitled to relief wherever they were resident at the time for a period of six weeks, thereby getting rid of the suffering and inconvenience attending the removal of persons to their own parishes. This he looked upon as a great improvement. There were also others, that for instance relating to apprentices, but he would not trouble the House by dwelling on these points. The Poor-law commissioners, whose power it was proposed by this measure to continue, on the one side, had been abused and reviled, as having mismanaged and abused the trust confided to them; whilst on the other hand, they had been highly praised for their wise and judicious conduct. He confessed, that he thought the commissioners had been placed in a position involving the performance of very disagreeable duties, but at the same time, he could not but give them every credit for discharging those duties with considerable wisdom, judgment, and good sense. He must object, however, and that in the strongest manner, to the scheme upon which they had constructed the unions. He did not pretend to be so well acquainted as other hon. Members with the particular union which had been so frequently referred to that evening; but when they were told of the abuses which existed in that union, let them not forget that those very abuses were formerly charged upon the old law, and that they were still said to exist to as great an extent as ever under the new system, despite the emendations which that system professed to introduce. The right hon. Baronet must well know that there must be great differences in the execution of the law, from the manner in which different unions were constructed. He must know that size and other circumstances obliged the inhabitants not unfrequently to resort to expedients to get rid of the many inconveniences to which they were subjected. Indeed, the fact itself was admitted in this

very bill, for a clause was introduced to divide the districts, and so to obviate the inconveniences at present existing. So far the clause was an admission of the extent of the evil; but, on the other hand, he feared it would prove anything but a remedy for the evil really existing. He would not, however, detain the House any longer. He could entirely wish that, looking to the very imperfect applicability of the Poor-law to a large portion of the country, the Government should re-consider the principles on which they called upon the House to pass the second reading. He also thought it was the duty of the House to look to the period when it might be within its power to restore the administration of local government to its former footing. He did not mean to restore the local administration to the smaller parishes—he did not think that was necessary; but to give a power of local government in cases where such power could be advantageously administered. In fact, in his opinion, local government was one of the safest of our institutions; and nothing should be allowed to interfere extensively with the operation of that salutary system. They might get more accuracy—they might get more punctuality under a central government—but those advantages were, in his opinion, dearly bought by the entire destruction of the habits of self-government which had prevailed for ages among the people, and which they regarded as one of the most important parts of their social policy; and if the House were still to act on the general principle—if they were determined to carry out to their full extent the views embodied in this bill—yet he would plead for his own district—yet he would ask the House to consider the wide and undeniable distinction between that part and other portions of the country to which the system was at first adapted; and yet he would ask them to let him enjoy the hope that the time was not far distant when they might obtain the management of their own concerns.

Colonel Wood did not exactly comprehend the tenor of the argument used by the hon. and learned Member who had just sat down. He understood the hon. and learned Member to state that he did not desire the central commission should be immediately done away with. But the commission terminated on the 31st of July, and therefore if the hon. and learned

Gentleman did not want to give this bill a second reading, how would he prevent the commission from expiring? He agreed with the hon. Member that it was not desirable to do away with local jurisdiction, and he also coincided in very much that had fallen from the gallant Officer opposite, though he certainly did not see how he could introduce amendments into the bill if he did not permit it to go into committee. For his own part he thought it would be very advisable to divide the bill, and to pass forthwith the first five clauses, which would continue the powers of the commissioners for a limited time—not so long as five years—and they could then go into the whole of the general question next Session, without any difficulty or chance of obstruction. As it was not the fashion that night to touch upon the details of the measure, he would say nothing more respecting it than that there were many parts of the bill to which he had very strong objections. He objected to the proposed formation of educational establishments. If the Poor-law commissioners were to have any thing to do with schools, they ought already to have erected them in connexion with the union workhouses. Upwards of two millions of money had been expended upon those buildings; and he must say that the commissioners having neglected to build them schools, he thought it was too much to ask that they should be called upon to make a further outlay for such a purpose. Besides, he entirely supported the principle of good parochial schools, somewhat on the plan proposed by Mr. Whitbread in 1806, which had been found to answer every object designed and expected from it. There were other clauses to which he had great objections, particularly that which made the casual poor of one parish chargeable upon the whole union. He felt, however, that this was not the opportunity to discuss these details, and he would, therefore, content himself with saying that, entering his protest against these clauses, he should give his vote for the second reading, with a view to amend the bill in committee.

Mr. Liddell did not suppose the House would divide that night, but he would take advantage of the opportunity which offered to make a few observations on the bill under consideration. And, first, he must say, that, agreeing with the non-

Member for the West Riding, he yet

found it quite impossible to go along with him in his vote. He felt perfectly convinced that time ought to be given to arrange the affairs of the commission, even if they felt inclined to dissolve it, and therefore he should offer no opposition to the second reading of the bill, but would reserve a power to support any amendments he pleased in committee, or to vote against the bill on the third reading, if those amendments were not satisfactory. But apart from this consideration, he should also base his vote on his estimate of the language used by the hon. Member for Knaresborough. It was impossible to hear that hon. Member's speech without feeling that he was perfectly sincere, yet he must say, that he thought he had spoken that night with much more zeal than discretion, and with a good deal of over-wrought feeling. When that hon. Member spoke of Dr. Kay, he could not help remembering the evidence given before the committee on the Poor-law by that gentleman, and he certainly could not find it possible at all to agree with the representation made of him by the hon. Gentleman. That hon. Member had implied, that a delusion had been practised by the commissioners to produce a migration from the agricultural to the manufacturing districts. Now, he could not but think, that at the time that migration took place, the chief cause that operated to induce it was the very natural one of a demand for labour in one district, and a falling off in the means of affording employment in another. Any one who referred to the evidence given before the select committee on the Poor-law in 1838 would find, by referring to Dr. Kay's evidence, at question 4,644, that although it was true, that this migration was attended with much subsequent distress, and that there were many instances of disappointment, yet certainly there was no reason to charge upon the Government, or its agents, any wilful attempt to practise a delusion on the people. He believed, there was nothing more in this case than happened too often with reference to the Irish labourers who came over to England at harvest time; and although undoubtedly there was a great change of circumstances and situation, and very much suffering was occasioned, yet it was acknowledged, that the results were only in a natural course of events. With respect to the principle of the workhouse

test, he entertained many strong objections. He thought that, in the first place, it was impossible that it could at all times be applied in the manufacturing districts, where it was out of the question that relief could be afforded in the workhouse to all the destitute poor. He also felt there was a much better test than any workhouse test or labour test—a test which no Government, or Secretary of State, or party, either in that House or out of the House, would properly apply—he meant the test of character, which could only be applied by those who were on the spot and accustomed to the administration of relief. Certainly, this was one of the proofs of the greater value of the local over the general board, which latter could not by any possibility sympathise so well with the feelings of the locality. The object of the law should be to benefit the poor, the public, and the rate-payer; but if the poor were not so well taken care of, and if the guardians were desirous of getting rid of a perplexing machinery, why should not the power be granted of resolving the unions into the original parochial control, but still under the superintendence of the central board? This was a grievance which remote unions might well complain of, but it might be said, that the particular circumstances of remote unions ought not to be taken into consideration in a general measure. Now, he conceived it to be a principle of the British Constitution, that the more remote the place the stronger right to a hearing. The objection would equally apply to Westmoreland, Cumberland, and North Wales. He was astonished, that no notice was taken in the bill of the objections to which he called the attention of the House, more especially when he remembered the speech of the right hon. Baronet (Sir J. Graham) in 1841, from which he was led to conclude, that if the right hon. Baronet came into power, he would use his best energies to remedy the evils, the existence of which he then admitted. In this hope he was disappointed. There was one other point, namely, that relating to the bastardy clause. He, admitted, that the provisions of the present bill, were an improvement upon the former, but he objected to that part of the clause which provided, that no order should be made except for relief in the workhouse. With respect to this subject, he had procured a return from a populous town in

the northern district of the county which he had the honour to represent, and he found the number of illegitimate children to be as follows:—In 1831, they were seven; in 1832, five; in 1833, seven; but after the New Poor-law passed, the number increased, and in 1839, they were twelve; in 1840, eighteen; and in 1841, they were twenty-two. This was a point upon which he felt deeply, having seen such grievous injuries ensue from it; and he knew fathers who were well to do, absolutely refused any relief to their illegitimate children. He should also oppose any attempt at an arbitrary suppression of the Gilbert Unions, and he was of opinion, that the ingenious arguments used by the right hon. Baronet on this point cut both ways. Though he would not join with the hon. Member for Rochdale in his present motion, he should certainly oppose the clause which related to the Gilbert Unions. He hailed with approbation the proposition for the appointment of district committees, but when the subject came under consideration he would move an extension of their powers.

The House divided, on the question that the word “now” stand part of the question—Ayes 260; Noes 61: Majority 199.

#### *List of the AYES.*

Acland, Sir T. D.	Bruce, Lord E.
A'Court, Capt.	Buck, L. W.
Adderley, C. B.	Buller, C.
Aldam, W.	Buller, E.
Alford, Visct.	Buller, Sir J. Y.
Allix, J. P.	Bunbury, T.
Bailey, J.	Busfield, W.
Baillie, Col.	Byng, G.
Baillie, H. J.	Campbell, A.
Baring, hon. W. B.	Cardwell, E.
Baring, rt. hon. F. T.	Cavendish, hon. C. C.
Barnard, E. G.	Charteris, hon. F.
Barneby, J.	Chelsea, Visct.
Barrington, Visct.	Chetwode, Sir J.
Bateson, R.	Cholmondeley, hn. H.
Bentinck, Lord G.	Christie, W. D.
Beresford, Major	Christopher, R. A.
Berkeley, hon. C.	Clay, Sir W.
Berkeley, hon. Capt.	Clayton, R. R.
Berkeley, hon. G. F.	Clerk, Sir G.
Bernal, R.	Clive, hn. R. II.
Bernard, Visct.	Codrington, C. W.
Blackburne, J. I.	Colebrooke, Sir T. E.
Blake, M. J.	Collett, W. R.
Boldero, H. G.	Coote, Sir C. H.
Botfield, B.	Corry, rt. hn. H.
Bramston, T. W.	Courtenay, Lord
Broadley, H.	Cowper, hon. W. F.
Brodie, W. B.	Craig, W. G.
Brooke, Sir A. B.	Cripps, W.

Thompson, Ald.  
Trench, Sir F. W.  
Trevor, hon. G. R.  
Trollope, Sir J.  
Trotter, J.  
Tufnell, H.  
Turner, E.  
Turnor, C.  
Tyrell, Sir J. T.  
Vane, Lord H.  
Vesey, hon. T.  
Villiers, hon. C.  
Vivian, J. H.  
Vivian, hon. Capt.  
Waddington, H. S.  
Walsh, Sir J. B.  
Ward, H. G.  
Watson, W. H.  
Wawn, J. T.  
Welby, G. E.  
Whitmore, T. C.  
Winnington, Sir T. E.  
Wodehouse, E.  
Wood, B.  
Wood, Col.  
Wood, Col. T.  
Wood, G. W.  
Worsley, Lord  
Wrightson, W. B.  
Yorke, hon. E. T.  
Young, J.

**TELLERS.**

**Baring, H.**  
**Fremantle, Sir T.**

*List of the NOES.*

Ainsworth, P.  
Attwood, M.  
Baskerville, T. B. M.  
Beckett, W.  
Bernal, Capt.  
Bowring, Dr.  
Brocklehurst, J.  
Brotherton, J.  
Cobden, R.  
Cochrane, A.  
Collins, W.  
Colville, C. R.  
Dashwood, G. H.  
Denison, E. B.  
Drax, J. S. W. S. E.  
Duke, Sir J.  
Duncombe, T.  
Duncombe, hon. O.  
Escott, B.  
Ferguson, Sir R. A.  
Feilden, W.  
Fielden, J.  
Ferrand, W. B.  
Fitzroy, hon. H.  
Gore, M.  
Grant, Sir A. C.  
Grimsditch, T.  
Hall, Sir B.  
Hamden, R.

Hanmer, Sir J.  
Hardy, J.  
Hawkes, T.  
Heathcoat, J.  
Henley, J. W.  
Hindley, C.  
Hodgson, F.  
Hodgson, R.  
Holland, R.  
Hornby, J.  
James, Sir W. C.  
Jervis, J.  
Johnson, Gen.  
Knight, F. W.  
Lawson, A.  
Leader, J. T.  
Marton, G.  
Masterman, J.  
Murphy, F. S.  
Napier, Sir C.  
O'Connell, D.  
O'Connell, J.  
O'Connor, Don  
Owen, Sir J.  
Pollington, Visct.  
Richards, R.  
Sibthorp, Col.  
Walker, R.  
Wallace, R.



Williams, W. TELLERS.  
Wortley, hon. J. S. Crawford, W. S.  
Yorke, H. R. Pechell, Capt.

Main question agreed to.  
Bill read a second time.

DEAN FOREST ECCLESIASTICAL DISTRICTS.] On the motion for the bringing up the report of the resolution to make provision for the amendment of chapels, &c., under the Dean Forest Ecclesiastical Districts Bill,

Mr. T. Duncombe denounced the bill as one of the grossest ecclesiastical jobs. The House was under great misapprehension as to its real powers and objects, and therefore it was absolutely necessary that some better opportunity should be afforded for discussing its provisions. It was no inducement for him to agree to accelerate the bill that the right hon. Baronet wished to proceed with the Poor-law in committee on Monday next. He did not wish the Poor-law carried; he hoped it would be rejected; indeed, he did not believe that Minister would be able to carry it. The opponents of that bill were determined to resist it clause by clause, and if necessary, line by line. Unless, therefore, right hon. Gentlemen opposite wished to amuse themselves by going into the lobby and returning night after night unceasingly for the next month, they had better at once withdraw the bill. He certainly should oppose the reception of this report unless the right hon. Baronet consented to take the next stage at an early hour in the evening, when a full discussion might be had.

Sir R. Peel said, that the next stage should be moved before 12 o'clock.

Report received, and instruction to the committee on the bill to make provision accordingly, was agreed to.

DEAN FOREST POOR.] On the motion for the third reading of the Dean Forest Poor Bill,

Mr. G. Berkeley moved that it be read a third time that day three months.

The House divided, on the question that the word "now" stand part of the question—Ayes 82; Noes 21: Majority 61.

#### List of the AYES.

Aldam, W.	Bateson, R.
Baring, hon. W. B.	Bernard, Visct.
Barneby, J.	Boldero, H. G.
Baskerville, T. B. M.	Brotherton, J.

Bruce, Lord E.	Inglis, Sir R. H.
Buller, Sir J. Y.	Jermyn, Earl
Campbell, A.	Knatchbull, rt. hn. Sir E.
Christie, W. D.	Legh, G. C.
Clive, hon. R. H.	Leicester, Earl of
Cockburn, rt. hn. Sir G.	Lincoln, Earl of
Courtenay, Lord	Lindsay, H. H.
Cripps, W.	Mackenzie, W. F.
Darby, G.	M'Geachy, F. A.
Denison, E. B.	Manners, Lord J.
Desart, Earl of	Martin, C. W.
Dickinson, F. H.	Meynell, Capt.
Douglas, Sir C. E.	Morgan, O.
Egerton, Sir P.	Morris, D.
Eliot, Lord	Neeld, J.
Escott, B.	Nicholl, rt. hn. J.
Fitzroy, Capt.	Ogle, S. C. H.
Fuller, A. E.	Peel, rt. hn. Sir R.
Gill, T.	Philips, G. R.
Gladstone, rt. hn. W. E.	Pringle, A.
Gladstone, T.	Rashleigh, W.
Gordon, hon. Capt.	Rushbrooke, Col.
Gore, M.	Ryder, hon. G. D.
Goulburn, rt. hn. H.	Sandon, Visct.
Graham, rt. hn. Sir J.	Seymour, Lord
Greene, T.	Sheppard, T.
Grimsditch, T.	Sibthorp, Col.
Grogan, E.	Stanley, Lord
Hamilton, W. J.	Stuart, Lord J.
Hardinge, rt. hn. Sir H.	Stuart, H.
Hawes, B.	Sutton, hon. H. M.
Henley, J. W.	Trotter, J.
Herbert, hon. S.	Vesey, hon. T.
Hindley, C.	Wawn, J. T.
Hodgson, R.	Young, J.
Hornby, J.	
Howard, P. H.	TELLERS.
Hughes, W. B.	Clerk, Sir G.
Ingestre, Visct.	Fremantle, Sir T.

#### List of the NOES.

Bernal, Capt.	Napier, Sir C.
Blake, M. J.	Parker, J.
Bowring, Dr.	Pechell, Capt.
Cobden, R.	Protheroe, E.
Drax, J. S. W. S. E.	Villiers, hon. C.
Duke, Sir J.	Wallace, R.
Duncombe, T.	Wood, B.
Gibson, T. M.	Worsley, Lord
Hume, J.	Yorke, H. R.
Leader, J. T.	TELLERS.
M'Taggart, Sir J.	Berkeley, G.
Martin, J.	Berkley, C.

Bill read a third time and passed.  
House adjourned.

#### HOUSE OF LORDS,

Saturday, June 18, 1842.

MINUTES.] BILLS. Private.—2<sup>d</sup>. Liverpool Poor; Marquess of Tweeddale's Estate.

3<sup>d</sup>. and passed:—Tulloch (Davison's) Estate; Britwell Salome Inclosure; Kilmington Inclosure; Ferry-bridge and Borough-bridge Road.

Received the Royal Assent.—Sugar Duties; Roasted Malt; Pentonville Prison; Incumbents' Leasing; Witnesses Indemnity; Fines and Recoveries (Wales and

Cheshire); Punishment of Death (Ireland); Civil Bill Decrees (Ireland); Kingstown Mariners Church; Northern Union (Newcastle and Darlington Junction) Railway; Bristol and Gloucester Railway; Warwick and Leamington Union Railway; Yarmouth and Norwich Railway; Dundee and Arbroath Railway; Great North of England Railway; St. Philip's Bridge (Bristol); Forth and Clyde Navigation; Faversham Navigation; Birmingham and Liverpool Canal; Greenock Harbours; Saundersfoot Harbour; Drogheda Harbour; Warkworth Harbour; Boston Harbour (No. 2); Boston Harbour (No. 5); Ardrossan Harbour; South Metropolitan Gas; Brentford Gas; Camberwell and Peckham Lighting and Improvement; Clerkenwell Improvement; Ely Place Improvement; Fleetwood Improvement; St. Pancras Improvement; Liverpool Health of Town and Buildings Regulation; Liverpool Borough Courts; Gravesend Terrace Pier; Gravesend Town Pier; Tyne Fisheries; Guarantee Society; Cwm Iron Company; Imperial Insurance Company; Indemnity Mutual Assurance Company; City of Glasgow Life Assurance Company; New Cross Roads; Dundalk Road; Slag Roads; Lincoln Roads; Kingston Roads; Church Stretton and Longden Road; Market Harborough and Brampton Road; Bolton and West Houghton Road; Hinckley Roads; Leicester and Ashby-de-la-Zouch Road; Holywell Roads; Sir John Cass's Charity (Shaw's) Estate; Yate Inclosure; Ormesby Inclosure; Medbourn Inclosure; Gair's Naturalisation.

PETITIONS PRESENTED. From the Town of Cambridge, for the County Courts Bill.

Adjourned.

## HOUSE OF COMMONS,

Saturday, June 18, 1842.

MINUTES.] NEW MEMBERS. Daniel Henry Farrell, Esq., for Athlone.

BILLS. Public.—2<sup>a</sup>. Customs (Tariff).

Private.—2<sup>a</sup>. Hawke's Divorce.

Reported.—Blackburn and Chorley Road; Charterhouse Hospital Estate.

PETITIONS PRESENTED. From Attorneys at Hereford, for the Repeal of the Stamp Duty on their Certificates.—From Persons interested in the Pilchard Fishery near Falmouth Harbour, for the Abolition of the Tithe on Fish.—From Holders of Lagan Canal Debentures, against the Lagan Canal Bill.

RAILWAYS.] On the Order of the Day for the further consideration of the Railways Bill was read.

House in committee.

Mr. Hodgson Hinde moved the following clause :—

"That it may be lawful for any railway company to affix a printed list of rates and tolls in a conspicuous situation within every station-house or other building where such rates or tolls are collected, instead of affixing a table of rates and tolls painted on boards to the toll-house or building; and that such rates or tolls shall be payable, and may be demanded and taken during the time in which such printed lists are affixed as aforesaid, in the same manner as they are authorised to be demanded and taken during the time that such boards shall remain so affixed."

Dr. Bowring thought that the existing practice afforded the greatest security against imposition; and that the present

mode of affording information in the several toll or station-houses on railways as to the rates and charges made by the railway company was more conducive to the public advantage and convenience than that proposed by the hon. Gentleman.

Mr. Wallace opposed the clause, as it was calculated to open the door to the perpetration of fraud and imposition.

Mr. Gladstone, after a few words from Mr. Russell, Dr. Bowring, and Mr. Wallace, opposed the motion. The object of the bill before the House was to make provision for the public safety. The preamble of the bill showed it to have that object, and that alone; and, not wishing to alter the character and nature of the measure, he was desirous of not seeing introduced into it provisions which were not immediately applicable to the object proposed. He had no particular objection to the proposal of the hon. Gentleman in other respects, but he thought that the consideration of such provisions and of those minute details would be better left to a committee up stairs. He trusted, therefore, that this clause would not be passed.

Mr. Darby thought, that the introduction of a clause of this nature into the bill would be objectionable, as it had no reference to the object stated in the preamble.

The committee divided, on the question that the clause be brought up.—Ayes 5; Noes 107; Majority 102.

### List of the AYES.

Berkeley, hon. C.	Layard, Capt.
Hardy, J.	TELLERS.
Hodgson, R.	Grosvenor, Lord R.
Lawson, A.	Hinde, J. H.

Mr. R. Palmer then proposed the following clause :—

"And be it enacted, that whenever it shall appear to the Lords of the said committee, that the line of any railway is carried so nearly parallel to, or at so short a distance from, any turnpike or public carriage or bridle road, as seriously to endanger the public safety, it shall be lawful for the Lords of the said committee to call on the directors of any such railway to erect and maintain a sufficient fence between the line of railway and any such turnpike, carriage, or bridle road, as the nature of the case may require."

Mr. Gladstone admitted that the clause was within the scope of the bill, but he thought he should be able to persuade his hon. Friend not to press it. In the Great

Western Railway Act, and, indeed, in most other railway acts, provision was made to enable surveyors of roads to summon the proprietors, in cases of this kind, before two justices, and such two justices were empowered to adjudicate in the matter, so that, in point of fact, the power his hon. Friend wished to give to the Lords of the committee of trade was already possessed by the justices, who, from local knowledge, must be much more competent to decide such questions than the Board of Trade, who could only act on the representation of third persons. Although the Board of Trade possessed no compulsory power in cases of this sort, they were in the habit of making suggestions to the railway companies, and as those suggestions had always been attended to, he thought it better to leave the law as it stood.

Mr. *Hindley* did not conceive the adoption of the clause would be attended with any benefit, as provision was already made on the subject.

Mr. *C. Russell* could confirm the statement of the right hon. the Vice-President of the Board of Trade, as to the readiness of the directors of the several railway companies to attend to, and comply with the suggestions made to them by the Board of Trade. He thought that the danger arising from the causes adverted to by this clause, was much exaggerated.

Clause withdrawn.

Mr. *Stafford O'Brien* moved

"That it shall not be lawful to lock the door of any railway carriages on the side nearest to those stations at which the trains shall stop, to which such carriages belong."

He trusted that he should not be opposed in moving this clause. He was decidedly opposed to being locked in under any circumstances whatever. He thought that any Member who voted against this resolution deserved to be locked up in a railway carriage himself. Although he would not say that he wished to see the Government locked up if they opposed his motion, still he thought that they would deserve to experience the evil. If, however, the right hon. Gentleman, the Vice-President of the Board of Trade, would say that the department to which he belonged could compel every railway company to cease locking their carriage doors at any time it pleased, without the insertion of this or a similar clause, he *would consent to withdraw* his motion;

but unless that could be accomplished, he thought it to be his duty, for the protection and safety of the immense mass of people who travelled by railway, to press this motion to a division. He need not refer to particular cases in proof of the necessity of such a clause; the recent Paris and Versailles case must live in the recollection of all; but even without that example of the destructive consequences, he thought it must be evident to every one that it was a most dangerous thing, and unattended with any good consequence, to lock the doors of the carriages. He thought the safety of the public was concerned, and that this matter required the particular attention of the House.

Clause brought up and read. On the question that it be read a second time,

Mr. *C. Russell* said, that in the Paris and Versailles case, which had created so much consternation in the minds of the public, the whole of the carriages were second-class carriages, where the whole top sides were open; and the persons inside, if they had contemplated danger, might have got out with as much chance of safety by those openings as by the doors, if they had been unlocked. He was opposed in principle to a clause compelling railway directors to allow the doors of railway carriages to remain unlocked, on the ground that persons travelling by railroad with the doors unlocked would, on the slightest alarm, be attempting to jump out, and thus expose themselves to imminent danger. He held in his hand a paper containing a list of the accidents which had occurred on the Great Western Railway, and these ran "jumping out of carriage whilst train in motion," attempting to get into carriage whilst train in motion," &c., whilst not one accident had yet occurred on that railway whilst the doors were locked, which would not have occurred if the doors had been unlocked. Had the plan of locking the doors of railway carriages been adopted from the first, they might even at that day have had the late lamented Mr. Huskisson assisting them with his splendid talents. He was satisfied, after the most mature consideration which he could give to the subject, that it was far safer to lock railway carriage doors than to leave them open.

Mr. *Gladstone* felt called upon to oppose the clause, on the ground that on the present limits of their information on so difficult a subject, it would not be judicious to

make a legislative enactment on the subject. After what had fallen from both the hon. Gentlemen on this subject, he felt that there were two sides to the question—indeed it might be said that there were four sides to the question. He admitted that he thought that the practice of leaving one door unlocked having been adopted, that it ought not to be abandoned. His hon. Friend who moved the clause and a majority of the House had a strong opinion as to the propriety of a particular arrangement, but the question before the House was not as to the expediency of the arrangement which the clause would provide for, but whether it would be advisable to make a legal enactment to that effect. The general subject was very fully discussed during the last Session of Parliament whether it would be proper to make special prohibitions by legislative enactment in order to prevent a recurrence of circumstances which might be found to have produced injurious consequences, and it was not thought advisable to enforce such prohibitions by legal enactment. It was thought if, instead of the power of suggesting alterations which the Board of Trade now possesses, they were to give a compulsory power to the Board of Trade, it would have the effect of relieving the directors of the railways of too much responsibility. It was therefore better merely to allow the power of suggesting alterations in the arrangements of the railways to the Board of Trade, and he should say that scarcely a single instance had occurred in which such a suggestion had failed on the very first intimation to be perfectly successful in procuring the attention required. In this instance of not locking both doors the very first suggestion of the Board of Trade was instantly complied with, and he did not believe that any railway directors could think of continuing the former system unless the opinion which the public and the Parliament now hold on the subject of locking those doors experienced a change. He did not ask the committee to come to a decision on the abstract merits of the argument, but on the expediency of declining to entertain the present clause. Now there was railways at the present moment in which he understood that both doors were locked. The case he alluded to was that of the Greenwich railway, and he believed that some regulation of nearly a similar kind existed on the Blackwall railway. He had heard *no complaint of*

the practise on the Greenwich railway; on the contrary, the inspector of the Board of Trade reported rather in favour of the practice as a balance of evils. On this railway there was not in many parts sufficient space for persons to get out between the railway and the parapets, which were so high over the surrounding ground that it would be impossible for persons to escape over them. Persons, therefore, getting out would be obliged to get out upon the track of the other rail, which, in many cases, would be certain death to a great number of persons. He merely mentioned this to show that there were many particular cases which Parliament ought to have in its view when proceeding to pass a bill of this kind. He thought that the conclusion to which the House came last year with respect to the inexpediency of a prohibitory enactment, was a wise conclusion, and it appeared to him that nothing had since arisen to induce Parliament to depart from its former determination, with respect to this part of the question.

Captain *Layard* thought, that it had been satisfactorily shown, that the lamentable extent of the accident that had occurred on the Paris and Versailles railway was not attributable to locking the carriage doors, as it appeared that the persons might have escaped as readily from the openings of the second-class carriages as from the doors, supposing that they had been unlocked. He was in favour of locking the door of carriages on railways, inasmuch as he thought that it contributed on the whole to the greater safety of the public. He had lately been travelling on the line to Liverpool, and an accident having occurred, the passengers, finding the doors of the carriages open, leaped out. Now, if a train had been passing at the time, the most serious consequences might have resulted.

Mr. *H. Baillie Cochrane* recommended the hon. Member for Northamptonshire to amend his motion, so as to ensure both doors of a railway carriage being left open.

Mr. *M. Milnes* did not think that the best course that could be adopted was to have a distinct legislative enactment on a subject of this kind, in which there are so many technical considerations involved. As public opinion, however, was so strong and decided on the matter, it was clear that something must be effected. He

believed, that it was necessary that a compulsory power should be given to the Board of Trade to act in a matter of this kind on its own responsibility. He was aware, that it might be long before public opinion got to the ears of the Government of the Board of Trade, and in the mean time the greatest abuses might be perpetrated. This, however, was a difficulty that they could hardly avoid. His own opinion was, that his right hon. Friend had too much faith in railway companies. He should vote for the motion, but still he would much rather have left a discretionary power with the Board of Trade.

Sir R. Peel hoped, that hon. Gentlemen would not, under the influence of fear in consequence of the late lamentable accident that took place on the Paris and Versailles railroad, press for legislative enactments as to the mode on which railways should be conducted and managed. If the principle were adopted of defining by legislation what the regulations should be according to which railroads should be conducted, then, on the next railroad accident occurring, some Gentleman would come forward with a new clause, with the view to prevent the recurrence of such an accident, and so it would be that a new remedy would be proposed on the occasion of any accident. His hon. Friend, the Member for Reading, indirectly went on the principle, that persons travelling by railroad would not take care of themselves, and, therefore, it was necessary to lock them in the carriages. Now, he believed, that persons who travelled by railroads, as persons who walked on turnpike roads, were the best guardians of their own safety; and he thought that there was no more necessity for locking the passengers up on the Great Western than on the Birmingham railway where the practice had never existed, and of the absence of which he had never heard any complaints. He thought that the public might be trusted to take care of themselves. In the course of the evidence given before the committee of railways last year, Mr. Brunel the eminent engineer, showed that it would be impossible to make the same legislative enactments applicable to all railroads. For instance, with regard to the speed of travelling, it was proposed that a regulation should be made to prevent travelling on railroads at more than twenty-five miles an hour. The distinguished gentleman to whom he had allu-

ded, clearly showed that in many parts of the Great Western Railway a train could safely go at the rate of forty miles an hour. The committee, after a most careful and deliberate examination of the subject, came to the unanimous determination that security to the public would be best insured by giving to the Board of Trade a power enabling them to make suggestions, so as in fact to aggravate the responsibility of railway companies in case their recommendations were not attended to. He confessed he could not understand the principle of locking up one side and leaving the other open. Suppose the carriages were overturned on the side in which the doors were unlocked, how was it possible for the persons within to get out? He repeated, however, that he did not think that it would be expedient to legislate on the subject, but that by far the best course to pursue was, to let public opinion, which generally acted in the right direction, operate on the railway companies, and he had little doubt but that would soon set the matter right. If there should happen to be any old ladies or ecclesiastics who were so excessively timid as to be afraid to be locked up in a carriage, he had no doubt that after a short time the railway directors and those persons would settle the matter between them. He believed that with the greatest security the nature of the suggestions or recommendations to be made to the railway companies would be best left to the discretion of the Board of Trade, assisted as their opinions would be by the advice of such distinguished officers as Sir Frederick Smith and Colonel Pasley.

Mr. Mark Philips admitted that there were many objections to minute legislation on subjects of this nature, but he objected from the very first to the practice of locking up passengers in railroad carriages. The hon. Member for Reading, in justification of the practice, stated that the accident which deprived this country of one of its most able and distinguished statesmen, was entirely attributable to the not locking the doors of railroad carriages. The hon. Member should remember that this lamentable accident occurred at the opening of the first railroad that was formed in this country, and that it arose from accidental circumstances, having reference to the position of the carriages. As for persons jumping out of the railroad carriages, on the slightest alarm, he did not believe that there was any more risk of that than of

their jumping overboard from steamers on occasions of slight alarm. As a test of public opinion on the subject, he would recommend the directors of the Great Western Railway to have for the next fortnight in each train a certain number of carriages which it was announced were to be locked up, an equal number of carriages with one door locked, and a like number with unlocked doors; and within that time they would discover what was public opinion on the subject, and he had little doubt but that they would act accordingly, and decide in favour of freedom.

Mr. *Escott* did not think that the hon. Gentleman who spoke last was a fair or impartial witness on the subject, for if by chance a railroad carriage in which the hon. Member was travelling had its doors locked, and it was overturned, he would be utterly unable to get out of the window. He should vote in that way which would give the most unlimited discretionary power to the directors of the railroad companies to make such regulations as they might deem essential for the safety and convenience of the public; and he should do so because he knew that they had the strongest interest to give way to public opinion, and to promote the public security and accommodation.

Mr. *Mark Philips* admitted that he was not like the boy Jones, able to get in and out of windows with facility. He had rode in a common stage coach, and had been placed in the unfortunate position alluded to by the hon. Gentleman. In the coach in which he was overturned there were besides himself two gentlemen of about the same size as the hon. Member, and such was their anxiety to get out of the window at the same moment, that they became for some minutes fixed in it. On their extricating themselves, he proposed that they should toss up for choice as to who should get out first.

Mr. *Stafford O'Brien* had not been induced to propose this clause in consequence of the accident on the Versailles railway. Public attention had been drawn to the subject long before that accident had occurred. He felt it necessary to say this to vindicate himself from the charge of having proposed this measure hastily and without sufficient grounds.

Mr. *C. Russell* observed, that the stations of the Great Western Railway company had been constructed with the view to the locking up the carriages on both

sides. He could assure the House that this company would most willingly attend to any suggestions emanating from the Board of Trade on the subject, and would always be ready to carry into effect the wishes of that House.

The committee divided on the question that the clause be read a second time—  
Ayes 69; Noes 92: Majority 23.

#### *List of the AYES.*

Allix, J. P.	Maclean, D.
Baskerville, T. B. M.	M'Geachy, F. A.
Blackburne, J. I.	Marshall, W.
Broadley, H.	Milnes, R. M.
Browne, hon. W.	Mitcalfe, H.
Busfield, W.	Morris, D.
Campbell, A.	Morrison, J.
Clements, Visct.	Murphy, F. S.
Drax, J. S. W. S. E.	O'Brien, W. S.
Dugdale, W. S.	Ord, W.
East, J. B.	Pechell, Capt.
Ellice, E.	Plumridge, Capt.
Farnham, E. B.	Plumtre, J. P.
Ffolliott, J.	Repton, G. W. J.
Forbes, W.	Rushbrooke, Col.
Gore, W. R. O.	Smith, rt. hon. R. V.
Granger, T. C.	Somerton, Visct.
Grogan, E.	Stanley, hon. W. O.
Hall, Sir B.	Stuart, W. V.
Hanmer, Sir J.	Strutt, E.
Hardy, J.	Sturt, H. C.
Hindley, C.	Taylor, T. E.
Hodgson, R.	Thornhill, G.
Holmes, hn. W. A'Ct.	Trotter, J.
Hughes, W. B.	Turner, E.
Inglis, Sir R. H.	Vere, Sir C. B.
James, W.	Vesey, hon. T.
Johnstone, H.	Vivian, hon. Capt.
Jolliffe, Sir W. G. H.	Waddington, H. S.
Knight, H. G.	Wall, C. B.
Langston, J. H.	Wallace, R.
Lawson, A.	Wawn, J. T.
Lockhart, W.	Wilbraham, hn. R. B.
Long, W.	
Macaulay, rt. hn. T. B.	TELLERS.
Mackenzie, W. F.	O'Brien, S.
	Philips, M.

#### *List of the NOES.*

A'Court, Capt.	Brodie, W. B.
Antrobus, E.	Brotherton, J.
Bailey, J.	Burrell, Sir C. M.
Bailey, J. jun.	Chapman, A.
Baillie, Col.	Colville, C. R.
Baldwin, B.	Courtenay, Lord
Baring, H. B.	Craig, W. G.
Barrington, Visct.	Crawford, W. S.
Berkeley, hon. C.	Cripps, W.
Berkeley, hon. Capt.	Damer, hon. Col.
Berkeley, hn. H. F.	Darby, G.
Berkeley, hn. G. F.	Dickinson, F. H.
Bernard, Visct.	Douglas, Sir H.
Blackstone, W. S.	Douglas, Sir C. E.
Boldero, H. G.	Duncan, Visct.
Botfield, B.	Duncombe, hon. A.
Bowring, Dr.	Duncombe, hon. O.

Egerton, Sir P.	Munday, E. M.
Escott, B.	Neville, R.
Estcourt, T. G. B.	Norreys, Lord
Fuller, A. E.	O'Brien, J.
Gibson, T. M.	Oswald, J.
Gill, T.	Palmer, R.
Gladstone, rt. hn. W. E.	Parker, J.
Gordon, hon. Capt.	Patten, J. W.
Gore, M.	Pendarves, E. W. W.
Grimsditch, T.	Praed, W. T.
Grosvenor, Lord R.	Pringle, A.
Hamilton, W. J.	Pusey, P.
Hampden, R.	Rashleigh, W.
Hawes, B.	Rice, E. R.
Hayes, Sir E.	Rose, rt. hon. Sir G.
Henley, J. W.	Round, C. G.
Holland, R.	Rundle, J.
Howard, hon. J. K.	Russell, C.
Howard, hon. H.	Sandon, Visct.
Hussey, T.	Seymour, Sir H. B.
Hutt, W.	Somerville, Sir W. M.
Jermyn, Earl	Sotheron, T. E.
Lambton, H.	Stanton, W. H.
Lascelles, hon. W. S.	Stewart, P. M.
Legh, G. C.	Stock, Serj.
Liddell, hn. H. T.	Trollope, Sir J.
Lowther, J. H.	Yorke, hn. E. T.
Mackenzie, T.	
Mainwaring, T.	TELLERS.
Marsland, H.	Layard, Capt.
Mitchell, T. A.	Sutton, hon. H. M.

Mr. *Plumptre* proposed the following clauses:—

“ And be it enacted, that no railway shall be used on any part of the Lord's Day ; provided always, and be it further enacted, that nothing in this act contained shall extend to prohibit the use of any railway on the Lord's Day in cases of charity or necessity.”

The consequences of allowing trains to run on Sunday were, the hon. Member said, very mischievous to the public, and led to all kinds of profanation. It should also be remembered that the servants of the different railway companies were compelled to work seven days a-week instead of six, thereby breaking the commandment, and at the same time depriving them of all moral and religious instruction. He had been induced to bring forward this subject only from moral and religious motives ; and although he was aware that some might be induced to ridicule him, he was satisfied that those who feared God would support him. The hon. Gentleman concluded with proposing his motion.

Mr. *Macaulay* was strongly opposed to any further legislation with respect to Sunday travelling. Why, he would ask, should one mode of travelling be prohibited and others allowed, when that mode caused

the least exertion and required the least portion of human labour. Were they to legislate in this way because an unfortunate accident had taken place on a Sunday on a railroad ? Such an attempt at argument to reconcile them to such a proceeding was more extravagant than any schoolboy argument that he had ever heard. But what was the mode of procedure the hon. Gentleman wished to resort to enforce his proposed clause ? He found that at present there were many prohibitions against performing certain acts on the Sunday. But how were these enforced ? Why by penalties in each case. In the present case the hon. Member, if he wished to make his clause operative in this respect, might have proposed that a fine of 5*l.* should be levied ; for it was obvious that all laws of this kind must be perfectly nugatory without the enforcing the payment of some penalty on one party or the other. This clause, however, not only contained no penalty, but it did not mention any party who was to be responsible for a breach of the law. He would defy the hon. Member or any one else, by such a motion or clause, to put a stop to railway travelling on Sunday. There might be a penalty of 1,000*l.* for each offence imposed in such a clause as the hon. Member had proposed, but how was it possible to enforce it ? But the clause, however, was open to objections of another nature. The hon. Member proposed as an exception, that nothing in this act contained shall extend to prohibit the use of any railway on the Lord's Day in cases of charity or necessity. Now, he should like to know who was to be the judge of these cases of necessity or charity. Was it for the committee seriously to entertain so futile and childish a proposition ? And were they not to know what court the hon. Member proposed should try these questions of charity and necessity. Again, were the travellers to be made answerable, or were the proprietors of the railroad. Suppose the hon. Member went to the Birmingham Railway station, and said that he wanted to leave by a train on a matter of urgent necessity ; how were the railway people to determine upon a case of the kind. He would venture to say, that the people of this country would not bear the operation of such a monstrous and absurd piece of legislation for a single day. Now what test was there to be for a work of charity or necessity ? Every man would

put a different interpretation on a matter of this kind. Suppose, for instance, a man heard on a Sunday that his daughter had just eloped from a boarding-school at Bath, might he not say that this was a case of necessity to look after his family on a Sunday, while others might tell him that he might wait till the Monday? A case of rather an extraordinary kind, having reference to this subject, came under his cognizance a few years ago. He recollected that in December, 1825, having seen a gentleman of the greatest piety, and who entertained the strictest notions as to the observance of the Sunday, getting out of a stage-coach, from a distant part of the country in which he resided, on a Sunday evening; on immediately expressing his surprise at seeing him, knowing, as he did, the strictly conscientious opinion that he entertained as to travelling on a Sunday, this gentleman, who, by the by, was a country banker, told him that he was compelled to travel as a work of necessity, namely, to get a supply of money to meet the panic. Now who was to determine whether that was a case of necessity or not, within the meaning of the clause? What tribunal was to decide the question? In such cases it would not be possible to lay a penalty on the travellers, and still more absurd was it to propose to lay a penalty on the railroads, for the agents or the servants of the railway company could only judge of the travelling being a work of charity or necessity by what the travellers told them. Or, would the hon. Gentleman propose that a committee of directors of each railway should sit in each station-house, to determine, in the case of each traveller, as to whether it was a case of necessity or charity. Such a clause could only be regarded as a monstrous waste of words, and it never would attain the object the hon. Member had in view. If there was any proposition made to restrain further Sunday travelling, he should oppose it to the utmost; but he objected to the adoption of this clause, because he thought that the House would be placed in a most ludicrous situation by adopting so extravagant and monstrous a proposition.

Viscount Sandon wished earnestly to ask his hon. Friend, not further to debate this subject at present. He was not unfavourable to the object his hon. Friend had in view; but after what had fallen from the right hon. Gentleman he thought that it would be unwise to proceed further

with this matter. He knew that the motives by which his hon. Friend were actuated were of the purest character; but he hoped his hon. Friend would not persist in pressing the discussion.

Mr. Plumptre had a perfect right, as an independent Member of that House, to make any motion he pleased; and he did not think that either the right hon. Member or any one else was justified in applying the term childish to his conduct. He did not believe that the difficulties in the adoption of these clauses were so great as had been stated by the right hon. Gentleman. He should leave the subject to the committee to treat the motion as it thought fit.

Mr. Macaulay did not intend in any manner to cast any imputations on the hon. Gentleman.

Mr. Gladstone would request the hon. Member for Kent to withdraw his motion even with regard to the object he had in view, and if he wished at any future period to have the subject calmly discussed. If his hon. Friend wished to have a law against Sunday travelling, he would obviously defeat his object, by endeavouring to enforce it in this shape, against only one description of travelling. He agreed with his right hon. Friend that it would be hardly possible to make such a clause as that proposed by his hon. Friend operative. He also objected to the clause, because the object of it did not agree with the title and preamble of the bill—namely, for the safety and security of the public.

Mr. Vernon Smith agreed with the right hon. Gentleman that this clause never could be made applicable to the object which the hon. Member had in view. The hon. Member had complained that his right hon. Friend, the Member for Edinburgh, had characterised the proceeding of the hon. Member in proposing this clause as extremely childish. His right hon. Friend had disavowed his intention of making any personal attack; but he did not think that the hon. Member was entitled to any peculiar consideration after the arrogant assumption which he had adopted in addressing the House. The hon. Member for Kent had said that all those who feared and honoured God would support his proposition. What right had the hon. Member to adopt such an extraordinary tone, and to claim such pre-eminent merit for proposing this most absurd resolution?



Sir R. Inglis expressed his anxious hope that his hon. Friend would at once withdraw his motion, with a view to put a stop to further discussion on it.

Mr. Milner Gibson deprecated the practice of hon. Members bringing forward motions in that House, and after discussion, not pressing them to a division. The hon. Baronet should have persuaded the hon. Member for East Kent not to have brought forward his resolution.

Mr. Grantley Berkeley hoped that the hon. Member would be compelled to press his motion to a division. He strongly objected to this kind of puritanical legislation. The effect of such legislation on another subject might be seen in causing the assassin's knife to be used as a substitute for fair and manly boxing.

The committee divided on the question that the clause be brought up:—Ayes 8; Noes 105:—Majority 97.

#### *List of the AYES.*

Bernard, Visct.	Morris, D.
Campbell, A.	Round, C. G.
Ffolliott, J.	
Forbes, W.	TELLERS.
Grogau, E.	Hardy, J.
Hayes, Sir E.	Plumptre, J. P.

Lord Robert Grosvenor proposed the following clause:—

“And be it enacted that when two or more railway companies, whose railways have a common terminus, or a portion of the same line of rails in common, or which form separate portions of one continued line of railway communication, shall not be able to agree upon arrangements for conducting their joint traffic with convenience to the public, so far as the same relates to the booking of passengers, the running of carriages, or the removal of luggage and passengers, it shall be lawful for the lords of the said committee, upon the application of any of the parties, to take cognizance of the questions in dispute; and if they shall find that any one of the said companies has granted to any other of the companies any accommodation in regard to the booking of passengers, the running of carriages, or the removal of luggage and passengers, and has refused to permit the same accommodation on the same terms, as nearly as circumstances will permit, to any other such company, it shall be lawful for the lords of the said committee to order the same to be granted to the company complaining of such refusal, and to order and determine whether the whole or what proportion of the expenses attending on such arrangement shall be borne by either of the parties respectively, and if any railway company shall refuse or wilfully neglect to obey any such order made upon or against such company by the

lords of the said committee pursuant to this provision, such company shall forfeit to her Majesty the sum of 20*l.* per day for every day during which such refusal or neglect shall continue; and every such penalty may be recovered in any of her Majesty's Courts of Record.”

The noble Lord said:—This clause is one of considerable importance both to railway proprietors and the public. It is known to hon. Members that a select committee was appointed last year to consider the propriety of legislative interference in the management of railways; that committee took a good deal of evidence, and presented to the House a report dated May 27th 1841 founded upon it, which amongst other things contains the following recommendation:—

“Your committee are of opinion that one great source of danger to the public may arise from a want of harmonious proceeding on the part of the managers of connecting railways, in reference to their regulations and arrangements at the junctions, and your committee with a view to remove the difficulties which are likely to exist in this matter, consider it expedient—that whenever the directors of connecting lines of railway shall not be able to agree upon arrangements for conducting with safety and convenience to the public their joint traffic it shall be lawful for the directors of either of such railways to appeal to the Board of Trade to settle the matters in dispute between them, so far as the same relate to the safe and convenient transfer of passengers and goods from one connecting railway to the other, &c. &c.”

In accordance with this recommendation a bill was drawn and introduced to the House by the Vice-President of the Board of Trade, giving to the Board a power to decide in cases of disagreement, between two companies in matters touching the safety or convenience of the public. When however, the directors of the great lines of railway perceived this provision, they requested an interview with the right hon. Gentleman, and in the course of it stated, that although they had no objection to the interference of Government in cases where the safety of the public was concerned, yet that they thought themselves the best judges of what was conducive to the convenience of the public; that the word was one of large acceptance, not easy to define, and that if such a word were introduced into the bill, it would in point of fact, place all their arrangements at the mercy of the Government officer, a course of proceed-

ing to which they were not at all inclined to submit. The right hon. Gentleman admitted the validity of the plea and struck out the word; but I cannot help thinking, that considering the grievances complained of, and the manner in which it was demonstrated to him that the great lines might avail themselves of their monopoly to the prejudice of connecting lines and the detriment of the public, the right hon. Gentleman was in duty bound to have introduced some more definite expressions to protect the public and the connecting lines from the occurrence of such contingencies. It is to attempt to remedy this omission that I now move for leave to add this clause. I wish first to call the attention of the House to the evidence of one of our most experienced practical engineers before the committee to which I have already alluded:—

"Q. 1417.—What are the general points upon which you would think it desirable that the Board of Trade should exercise a discretionary power?—I think there is one very important point, that large railways should not crush little ones; I can imagine a case of two collateral lines coming into a main line, which might be nearly in the same condition as to competing with each other, but that it happened that some of the directors of the general line were interested in one of those lines, and they might make their arrangements in such a manner as to make the one rich and to break the other up altogether."

What that gentleman imagined might take place has actually since happened upon one of our most important lines of railway communication, namely that between London and Dublin. The case is so well known, the inconvenience has been practically experienced by not a few Members of this House, and it is so fully detailed in the Post-office correspondence for which I moved and which is now printed and circulated, that I will not take up the time of the House by doing more than giving an outline of it. There is a point on the Grand Junction Railway called Crewe, from whence two lines lead to the Irish Packet Station on the Mersey. The one a shorter line with admirable gradients, approaching that bank of the Mersey, near which on account of the deep water the packet lies moored. The other a longer line with bad gradients, approaching that bank most distant from the packet's moorings. The first portion of these two lines is in the hands of the Grand Junction, but the last fourteen or fifteen

miles of each belong to different companies, and such have been the arrangements made by the Grand Junction authorities, that unless they choose to undergo great personal inconvenience, passengers are compelled to go the longer line with bad gradients falling into another line encumbered with all the traffic from the north of England to Liverpool, instead of the shorter line with unexceptionable gradients, falling into another line comparatively speaking unencumbered with any additional traffic. I am aware that the defence set up by the directors of the Grand Junction Railway is this, that the pecuniary interests of the proprietors being affected by these arrangements they have a right to do what they will with their own property. I am aware that this doctrine is held to be a sound one by some Members who have no interest in the matter, and if I considered that such was the prevailing opinion of the House I should at once abandon my proposition. When however, I look at what has taken place in the House on previous occasions, when the matter has been under discussion, I do not find such to have been the case, and the prevailing sentiment I find so happily expressed by the right hon. Member for Tamworth (on June 30th, 1840), that with the permission of the House I will read it:—

"It is our duty to see, that, by those who are in possession of the monopoly, the public rights are not interfered with. I think it would be unwise to go beyond that point by introducing minute regulations, but it is not unwise to guard the general interests of the public."

Certainly, I cannot conceive anything more absurd or mischievous than an attempt to impose upon railway companies minute regulations of our own devising, and it is a course of legislation to which for one I would not consent; but this clause which I now bring forward will impose no regulation of our own devising upon any railway company. It avoids all interference with locomotive power, it simply enacts that the accommodation afforded to one connecting line, shall not be arbitrarily withheld from another, but that the public shall be at liberty without let or hindrance to adopt which ever line shall most suit their convenience. It is very irksome to me to have to bring before the House the conduct of the directors of the Grand Junction; more especially, as I have received great personal courtesy from

that body, who I feel sure are actuated solely by a desire to discharge faithfully the responsible trust delegated to them by the shareholders. It was however, impossible for me to do justice to my case without alluding to these circumstances, and I trust the House will appreciate the importance of the question which they are now called upon to decide; namely, to use the words of the witness I have already quoted, "whether the proprietors of the great trunk lines shall be permitted to make use of their monopoly to the detriment of the public in such a manner, as to make one connecting line a flourishing concern, and to consign the other to bankruptcy and ruin."

Clause read a first time.

On the question that the clause be read a second time,

Mr. Gladstone did not deny that there might be cases of the kind to which the clause referred, in which difficulty and inconvenience might result to the public; but he thought the remedy proposed was one which the country would not bear. This subject involved very serious questions of interference with proprietary rights, and he did not think that the Board of Trade was at all a suitable tribunal to adjudicate on such rights. It was not, and had never been, a part of the duty of the executive government to go into nice calculations of money-matters, or arrangements of this kind. He felt that the adoption of such a proceeding was against the spirit of the Constitution, and would be giving the Government important duties of a judicial character. However, he did not say that it was not desirable that the House should take into its consideration the propriety of constituting some tribunal for the purpose. He hoped the noble Lord would not press the clause on the committee, because the power was one that could not be exercised by the Board of Trade with satisfaction to the country. With respect to the particular case mentioned by the noble Lord, he could not help observing that the clause proposed by the noble Lord could not be made to apply to it. His noble Friend had alluded to a case where only two railways existed, but his clause applied only to a case where there were three; for it directly stated, that if any one of the said companies had granted to any other of the said companies accommodation as regarded the booking of passengers, the running of carriages, or

the removal of luggage, and refused to grant the same accommodation, on the same terms, to any other such company—it shall be lawful for the Lords of the said committee to order the same to be granted to the company complaining of such refusal. The clause, therefore, would be perfectly inoperative in this case.

Mr. Jarvis did not think that the right hon. Gentleman looked at the clause in its proper light. The right hon. Gentleman admitted the importance of the clause, but objected to have such power given to the Board of Trade, as, he said, it was an unfit tribunal to decide on such matters. By the 12th clause of the bill, he adopted that Board as a competent tribunal in a similar case, for by it, it was enacted that disputes between connecting railways were to be decided by the Board of Trade. If the objection of the right hon. Gentleman was good in the present case, surely it was equally valid against the former clause. The objection of the right hon. Gentleman to the applicability of the clause of the noble Lord to the case stated by him could be obviated by the introduction of a very few words into it. He should give the clause his warm and cordial support.

Viscount Sandon said, that this clause would only apply to three railways in the kingdom, and he did not think that under such circumstances they should have a general enactment which might seriously affect many other railroads. He thought too, that the clause was unnecessary, and having prevented the Board of Trade from interfering generally with railway management, it would be inconsistent to place the power on its hands of interfering in this particular case.

Lord Seymour said, that by adopting the clause, the House would throw on the Board of Trade the *onus* of performing duties which it was utterly impossible it could perform in a satisfactory manner.

Mr. Grimsditch supported the clause, considering it to be absolutely necessary that the Board of Trade should have power to interfere in this instance, such interference being absolutely necessary for the public convenience.

Mr. Gladstone observed, that by the former act as well as by the bill before the House, the Board of Trade had the power of interfering in cases in which the public safety was involved; but the Legislature had never yet given that Board the power of interfering in cases only involving

public convenience, and he trusted never would.

Mr. *Wallace* thought, that the noble Lord had made out a most excellent case, and that not one word had yet been said in answer to it. When the right hon. Gentleman said—"Don't let us legislate on these small points, the Board of Trade can do every thing so well, and will have only to suggest to the railway companies what is right," would the right hon. Gentleman say, that the Board of Trade would make suggestions as regarded the case stated by the noble Lord?

Dr. *Bowring* doubted whether the noble Lord would gain the object he had in view by pressing the clause to a division. For his own part, he doubted whether the Board of Trade was the best tribunal to determine disputes of this kind. It was allowed, however, that the present system, as regarded such cases as had been mentioned by the noble Lord, was defective, and he trusted something would be done in the shape of a remedy. He thought that it would be better that the House should not come to a division on the point that night; he would suggest, therefore, that the matter should be left for consideration.

Mr. *Gladstone* said, that he could not consent to the proposal of the noble Lord. The subject was one which included various considerations; and he deprecated a hasty decision on the subject. He believed that the clause of the noble Lord was one which could not be carried into effect.

Lord *R. Grosvenor* knew, from personal communications, that a great many extensive proprietors of railways were anxious that in cases of clashing duties the matter should be referred to the jurisdiction of the Board of Trade. He should certainly press the clause to a division, unless he had a pledge from his right hon. Friend that the Government and Board of Trade would take up the case.

The committee divided on the question that the clause be read a second time:—Ayes 40; Noes 41: Majority, 1.

#### List of the AYES.

Adare, Visct.	Drax, J. S. W. S. E.
Berkeley, hon. C.	Egerton, Sir P.
Blackstone, W. S.	Ffolliott, J.
Brodie, W. B.	Forbes, W.
Brotherton, J.	Gore, W. R. O.
Busfield, W.	Grimsditch, T.
Clements, Visct.	Hayes, Sir E.

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Hindley, C.  
Howick, Visct.  
Hughes, W. B.  
James, W.  
Jervis, J.  
Jolliffe, Sir W. G. H  
Langston, J. H.  
Layard, Capt.  
Lagh, G. C.  
Lowther, J. H.  
Mackenzie, W. F.  
McGeachy, F. A.  
Marsland, H.  
Mitalcfe, H.  
Mitchell, T. A.

Parker, J.  
Patten, J. W.  
Philips, M.  
Plumridge, Capt.  
Somerville, Sir W. M.  
Stanley, hon. W. O.  
Stuart, W. V.  
Taylor T. E.  
Vesey, hon. T.  
Wallace, R.  
Watson, W. H.

#### TELLERS.

Egerton, W. T.  
Grosvenor, Lord R.

#### List of the NOES.

Allix, J. P.  
Bailey, J. jun.  
Barrington, Visct.  
Baskerville, T. B. M.  
Boldero, H. G.  
Botfield, B.  
Bowring, Dr.  
Broadley, H.  
Buller, Sir J. Y.  
Burrell, Sir C. M.  
Colvile, C. R.  
Cripps, W.  
Dickinson, F. H.  
Farnham, E. B.  
Fuller, A. E.  
Gaskell, J. Milnes  
Gill, T.  
Gladstone, rt.hn.W.E.  
Gordon, hon. Capt.  
Gore, M.  
Hamilton, W. J.  
Hawes, B.

Hodgson, R.  
Holland, R.  
Howard, hon. J. K.  
Howard, hon. H  
Hutt, W.  
Jermyn, Earl  
Lincoln, Earl of  
Mackenzie, T.  
Norreys, Lord  
Pusey, P.  
Rundle, J.  
Russell, C.  
Sandon, Visct.  
Seymour, Sir H. B.  
Smith, rt. hon. R. V.  
Stanton, W. H.  
Sutton, hon. H. M.  
Thornhill, G.  
Young, J.

#### TELLERS.

Darby, G.  
Fremantle, Sir T.

Mr. *Gladstone* having proposed that the clauses 15 and 16 should be expunged, and other clauses be substituted in their places—

Viscount *Howick* said, he thought that the House should give proprietors of land adjoining the lines of railways the ready means of recovering compensation for any loss they might sustain by the negligence of the servants of the railway companies. By the present law, if a fire was occasioned in a plantation, or a corn-field, or on land adjoining the lines of railway, by sparks from the steam-engine, the companies were not liable. He understood that this was the decision of a court of law, in a recent case involving the partial destruction of a plantation by this means. He thought that by proper precautions the railway companies could avoid all this danger. While they were giving such extensive powers to railway proprietors, it was only common justice that they should give a corresponding protection to the

proprieters of land through which they passed.

Mr. Gladstone admitted, that the subject was one deserving of consideration. He believed, however, that in the case alluded to by the noble Lord, the injury had been done to a hay-stack raised immediately by the line of the railway.

Mr. R. Palmer knew a case in which the Great Western railway company made compensation where a portion of a field of barley was burnt by sparks falling in it from one of their engines. If the judges, however, had decided in the way stated by the noble Lord, it was fully time to consider the matter with a view to a legislative remedy.

Lord R. Grosvenor wished to ask, after the division of that night on the clause which he had proposed, whether the right hon. Gentleman was prepared, on the part of the Board of Trade, to promise to exert himself to put an end to the public inconvenience which was occasioned by the disputes existing between the Grand Junction and the Chester and Birkenhead railway? If his right hon. Friend would not give such a pledge on the subject, he should feel it to be his duty to bring forward the clause again in a future stage of the bill.

Mr. Gladstone had already said, that the Board of Trade would do everything, in the way of suggestion, to effect an arrangement in cases of dispute between railroads, if the matter were brought before it by the parties interested. The Board, however, had not the power of doing more than making suggestions, and he should strongly deprecate any larger power being entrusted to it.

Clauses agreed to. The House resumed.

CUSTOMS' ACTS—THE TARIFF.] House in committee on the Customs' Acts.

Mr. Gladstone stated, that the object in moving for this committee was to pass two resolutions on the subject of the importation of certain timber which was not described in the Tariff, and on the importation of cut glass, not being flint glass. He believed that there would be no opposition to his motion, and he should, therefore, move the resolutions, as follows:—

"That the duty on wood planed, or otherwise dressed or prepared for use, and not particularly enumerated nor otherwise charged with duty, of or from foreign countries, shall be 9d. per cubic foot of the contents, and 10

per cent. *ad valorem*, additional for one year, from the 10th day of October, 1842; and thereafter shall be 7½d. per cubic foot, together with 10 per cent. *ad valorem*, instead of 6d. per cubic foot, together with 10 per cent. *ad valorem*."

"That cut glass, other than flint glass, shall be chargeable with the duty of 30 per cent. *ad valorem*, and further with £1 per cwt. on account of the Excise duty.

Resolutions agreed to. The House resumed, and adjourned at a quarter past five.

## HOUSE OF COMMONS,

Monday, June 2, 1842.

MINUTES.] BILLS. Public.—2<sup>o</sup>. Law of Evidence; Writs of Error.

Reported.—Railways.

3<sup>o</sup>. and passed 1.—Justice Jurisdiction.

Private.—3<sup>o</sup>. and passed 1.—Charterhouse Hospital Estate; Deptford Pier.

PETITIONS PRESENTED. From Bury, for Limiting the Hours of Labour of Young Persons in Factories.—By Mr. Shaw, from the Clergy of the Diocese of Elphin, complaining of Grievances in regard to their Temporalities, and praying for Relief; and from Elphin, and Tuam, against the present System of Education (Ireland).—From Canterbury, in favour of the New Poor-law Amendment Bill.—By Mr. Wakley, and Mr. Liddell, from Heworth, Greenwich, and Deputies from several Congregations of Protestant Dissenters in and within twelve miles of London, against the Bill.—By Mr. Lytton, from the Farmers of Coleraine, against the Reduction of the Import Duty on Foreign Leather.—From Whitley, Lower Kilkenny, County of Cork, Dawgreen, and Newton Main Pitta, against the Mines and Collieries Bill.—From Michael Drury, praying for Inquiry into the conduct of Mr. Grove as Police Magistrate.—By Mr. Campbell, from Rotherney, for the Abolition of Church Patronage (Scotland).—By Lord Elliot, from Roscrea, and Dublin, against placing Medical Charities under the Control of the Poor-law Commissioners.—By Mr. Chute, from the County of Westmeath, for Amendment of the Grand Jury Laws (Ireland).—From Ross Price, for Amendment of the Railway Act.—From Toxteth Park, for Consideration of the Duties of the Lord-Lieutenant and Judges of Ireland in relation to Maynooth.—From Electors of Ipswich, complaining of the Return for that Borough.

THE NAVY—LIGHT GOLD—LEAVE.] Captain Berkeley begged to ask, whether it were a fact, that after the issuing of the proclamation, the crew of her Majesty's ship the Pique had been paid in light sovereigns, thereby causing a great loss to the men.

Sir G. Cockburn having seen the statement made in the papers, had directed the necessary inquiries to be made, and there was not the slightest foundation for the report. The Admiralty had directed a letter to be written to the railway company where it was said the light gold was tendered, and the reply was, that there was no truth in the statement—that the men generally ten-

dered five-pound notes, and that there was some little difficulty in getting change.

Captain *Berkeley* wished to ask another question. It was currently reported in naval circles, that the present commander-in-chief in the Mediterranean had issued an order which had been much complained of by the squadron at Malta—to curtail the leave of the ships' companies to go on shore, which had been enjoyed by them under the former commander-in-chief. He wished to know whether the hon. and gallant Officer was aware that such an order had been issued?

Sir *G. Cockburn* said, he knew of no such order as refusing leave to the ships' companies, nor had he heard of any complaints from the fleet. By a paper which had been lately placed in his hands, he learned that some restraint had been placed on the crews, in consequence of the vessels preparing for sea, and one of the orders bore on that point to a certain extent. It was, however, only against the indiscriminate permission to go ashore that the order had been issued.

REGISTRATION OF VOTERS (ENGLAND).] Sir *J. Graham* said, that a question had been put the other evening from the opposite side of the House respecting the registration of electors in England. He now begged to state that it was the opinion of Government that it would not be expedient to interfere with the progress of registration in the present year, under the present law. But at the same time, he might state to the House, that before the close of the Session, it was his intention, on the part of Government, to ask for leave to introduce a Registration bill, with the view, not of passing it this Session, but of merely laying it on the Table of the House, so that it might be proceeded with in the commencement of the next Session, and be passed, if agreed to, before the 20th of June, the day on which it must become law to be of effect next year.

REGISTRATION OF VOTERS (IRELAND).] Lord *J. Russell* said, he supposed that after what had been said the other evening the House was not to expect an Irish registration measure, until the English bill had been disposed of.

Sir *R. Peel* said, that Government was not prepared to introduce any measure as to Irish registration this Session.

DEPRECIATION OF THE GOLD COINAGE.] On the motion to read the Order of the Day for going into committee on the Poor-law Bill,

Mr. *C. Buller*: As there was no other opportunity, he must now call the attention of the House to the state of the gold coinage, and to the proclamation issued by her Majesty's Government, by which that coinage had been affected. He was about to do it perfectly in order, and in conformity, he believed, with the strict rules of the House, by stating it as the ground of his objection to the reading of the Order of the Day, that whilst such a question was agitating the public mind, without any explanation from the Government, it was not proper that any other business should be proceeded with. He was exceedingly glad that there appeared to be no intention on the part of the Government to offer any objections to his taking this course; for, of all things, he should most deprecate a squabble about forms in a matter which ought to be discussed as much as possible without party feeling. He had no desire on the present occasion merely to criminate the Government, though it would certainly be his duty, in conformity with his opinion on this subject, to state his disapproval of the conduct which they had pursued, and to state the grounds on which he deemed that conduct improper. He hoped the House would bear with him patiently, as this was a matter of deep moment to the whole community, and, above all, to the poorest classes in the community. He heard the other day, when the hon. Member for Essex talked about the poor not being willing to take gold, that it caused a laugh, as if the idea of a poor man receiving or refusing gold could not be entertained without ridicule. The fact was, that the gold coin was required for all the small daily and weekly payments of the country above 20s., these payments being habitually made in gold. In this metropolis a vast proportion of the working classes received more than 20s. of weekly wages on Saturday in gold. Wages even of 10s. were paid in gold. The matter affected chiefly the working classes and the retail traders. The payments of the rich were made chiefly in bank notes, and by checks on the banker, credit in a great measure superseding with them the use of gold. But upon those engaged in petty retail business the weight, in great part of

such a change as this fell. Now, he thought it necessary to state very distinctly what it was he complained of in the conduct of the Government, what was the nature of the proclamation, and what, as it struck him, were its effects. On the 3rd of June her Majesty's Government, without any previous notice, preparing the public mind, issued a proclamation, warning the public, that there was a great quantity of light gold in circulation, calling on the officers of the Government to enforce the law with respect to clipping and defacing the coin, and calling on her Majesty's subjects, generally, to do the same. There was no statement made in that proclamation of what was the law of cutting and defacing bad coin. It was vaguely referred to small retail traders of this metropolis, to a man with a tripe shop in Whitechapel, or to a baker in Tothil-street, to consider what the law was. When the House came to consider what the law was, they would find it was one which might lead them into very serious errors; which would make them, and not the counterfeiters of money, the sufferers—and it would appear questionable, whether the proclamation did not recommend a rather improper course to be taken. The proclamation was general and directed against the whole gold coin of the country. It was since understood that it applied specifically to the coin of the reign of George 3rd and George 4th. The effect, however, was to discredit the whole gold coinage of those reigns. Nobody could, after that proclamation, safely take those coins, as they had been taken for twenty-five years, merely by number, on the supposition that the impression was proof, not only of the fineness, but also of the weight. Every one was reduced to the necessity of taking them by weight. The effect must be that gold coin would be paid in in large sums to the Bank of England and to the Government officers authorised to receive it. It would drive the whole of that money out of circulation, and, in fact, the proclamation amounted to a calling-in of the gold coinage of the reigns of George 3rd and George 4th. As that was done because the coin was depreciated, the loss of the depreciation would fall on those who were holders of the coin on the 3rd of June, when the proclamation was issued. Those persons were, as he had said, chiefly the poorer retail tradesmen, and a great many of the working classes. Now, in the first

place, it appeared to him, upon every general principle, utterly improper that this loss should fall on the accidental holders of the coin. What was the cause of the deficiency of weight? They had heard a great many stories of plugging and sweating, and other processes by which the coin had been worn down. But he believed, the general opinion among all persons of authority on the subject was, that at present, though there had been some frauds on the gold coin, the principal deficiency was occasioned by wear and tear during twenty-five years circulation. It was monstrous, that such a loss should fall upon the accidental holder. Was it the fault of the accidental holder on the 3rd of June, that the coin had been reduced in twenty-five years of wearing? How could they know of the mischief that had been going on for that twenty-five years. They had committed no fault in the matter, and there was no justice in making the punishment fall on them? What was the good of it? Compare the infliction of this loss with other penalties. Whom would it deter? Would it deter the persons who played tricks with the coin—who plugged and deteriorated it—would they be deterred by the loss of the accidental holder? The persons who played those tricks with the coin always took care to get it as soon as possible out of their possession, and they were certain not to be injured. The person who damaged the coin would get rid of it at once, to prevent discovery. Therefore, the loss would fall almost entirely on the innocent, and it could have no good effect in deterring people from the commission of the offence. It was a loss very heavy to be borne by the individuals who held the deteriorated coin, while the amount would have been little felt if it had been suffered to fall on the public. The Chancellor of the Exchequer had told them, that the average depreciation was 3d. in the sovereign, or about one-and-a-half per cent. It appeared, that there were about 6,000,000 of deteriorated sovereigns in the country, and the loss on them at one-and-a-half per cent, amounted to 90,000*l.*—a sum which he would not wish to see squandered away—but a sum very light for this country to pay for so great an object, as that of avoiding any doubt about the goodness of the coin of the realm. After all, this question was not to be argued as a matter of strict right between

the public and individuals. The Government could not turn round upon individuals and tell them, "You have no law on your side, and we will take the utmost advantage we can against you." The custom of talking of the Government as one individual, and the whole community as another, did not justify the enforcement of the extreme rights of the former against the latter. The present was a question of policy. It was a question as to the party upon whom the loss might most conveniently fall; and he said, upon every ground of justice and expediency, it ought to be borne by the Government, as the representative of the public, and not on the individual holders of the coin. In impugning the plan adopted by the Government, he would not hesitate to state the course which he thought ought to have been adopted. In the first place, he wished to impress on the House that he was not condemning the course which the Government had taken upon any new-fangled notions of his own, but in accordance with every precedent at every period of our history, and every principle which had been laid down by the first Ministers of the Crown in this country, who had been always anxious to spare the public loss attendant upon renewals of the coinage. He ventured to say, that he could prove this distinctly from the course pursued by Parliament with respect to every re-coinage which had taken place since the Revolution. In every period of our history, a distinction had been made by Government between the loss occasioned by reasonable wear, and that caused by other means. The Government in every case, since the time of Elizabeth, and he believed since Henry 8th, specially exempted from loss those who held coin that was depreciated by reasonable wear. The 19th of Henry 7th, made this distinction between loss from reasonable wear, and that caused by clipping or otherwise diminishing the coin. The 29th of Elizabeth likewise enacted, that an abatement should be made for reasonable wear, and the amount was determined which was considered likely to be produced by reasonable wear. Various subsequent proclamations, down to the time of William 3rd, were issued on the same principle. There was a curious instance of the allowance for reasonable wear, contrasted with the course pursued by the Government on the present occasion. He found in the

very last case, in which reasonable wear had been defined, and it was exactly the amount of depreciation which the Chancellor of the Exchequer had lately stated to have taken place. The royal proclamation of the 12th of April, 1776, issued at the time of the re-coinage of the gold currency, ordered gold coins to be current, though diminished by reasonable wear; and the amount allowed for reasonable wear was 1 1-10th per cent, or something near the present depreciation. The 14th of George 3rd, passed about the same time, made the same distinction in favour of deficiency from reasonable wear. He must say, that when her Majesty's Government issued orders to the officers of the revenue to cut and deface every sovereign and half sovereign which they might find light, they made their officers incur some peril; for, if they made any mistake in the weight, they would have had to pay the holders of such coin for the loss. A law, passed in 1832, enacted when gold or silver coin was tendered, which was suspected to have been diminished otherwise than by reasonable wear, the person to whom it was tendered, might cut, break, or otherwise deface it; but if the piece of coin so treated were found afterwards of due weight, the person cutting or defacing it was to receive it at the rate which it had been coined for. This enactment might have thrown the loss of coin, only diminished by reasonable wear, upon those who ventured to cut or deface them. But what was much more important, and what he wanted to point out to the House, from the whole history of the coinage of this country since the Revolution was, that in all cases where the old coinage was called in, and fresh coinage issued, that the deficiency had been borne by the public, and not by the individual holders. He had not found any precedent of a contrary nature, and he ventured to say that those which he could produce were perfectly decisive as to the principle which had been acted upon by the different Governments since the Revolution. We had, since that period, had three great re-coinages in this country. The first was in the time of William 3rd, in 1696, and in reference to that he would read an extract from Lord Liverpool's work on the coinage, which was allowed to be a work of standard authority. The hon. Gentleman read the extract, in which Lord Liverpool



said that the Government bore all the loss of that transaction. He had never been able to obtain an account of the loss incurred by the deficiency of the old silver coinage, and the charges of the Mint for re-coinage, but that deficiency was enormous. The nation was then in the utmost distress and confusion, and the people were willing that any amount should be paid out of the public purse to relieve them from the difficulties and embarrassments which they were suffering in ordinary commercial intercourse. Such was the statement. Now, he readily agreed that the precedent of William 3rd was not one to be copied. At that time the Mint was ill-managed; and the business was not well done in spite of all the care of the Government. There was no doubt that while the old coinage was being called in, the practice of clipping went on, and the public was grossly cheated. But on account of the losses which the public thus sustained, did the Government of this country, on the next occasion of re-coinage, say that the whole loss should fall on the innocent holders of coin? The next great re-coinage was in 1774. What the deficiency on that occasion was, Lord Liverpool said would appear from the book of the Treasury. It was impossible to get at those books, excepting, perhaps, by moving that they should be printed for the use of Members, which would be rather expensive. The plan adopted by the Government on that occasion would be best seen from certain resolutions adopted by the House of Commons, to which he begged leave to call the attention of the right hon. Gentleman the Chancellor of the Exchequer. They were as follows:—

“That the said guineas, half guineas, and quarter guineas, be called in by degrees: and that it is proper to proceed therein as fast as the occasions of circulation will allow, and as the officers of the Mint are able to re-coin the same. That, for the purpose of calling in the said guineas, half guineas, and quarter guineas, it is proper that certain days be appointed, after which they shall not be allowed in payment, or to pass, except only to the collectors and receivers of the public revenues, or to such persons as shall be appointed by his Majesty to receive and exchange the same; and that certain other days be appointed, after which they be not allowed to pass in any payment whatsoever, or to be exchanged in manner before-mentioned. That all such guineas half guineas, and quarter guineas, be re-coined according to the established standard of the Mint, both as to weight and fineness.”

These were the specific provisions for calling in the old coin and re-coining it. And upon whom was the loss to fall? The 9th resolution was as follows:—

“That the public bear the loss arising from the deficiency and re-coinage of the said guineas, half guineas, and quarter guineas, provided such deficiency does not exceed the rates settled by the order of the commissioners of his Majesty's Treasury, of the 23rd of July last, and provided they be offered in payment to the receivers or collectors of the public revenue, or are brought to such person or persons as shall be authorised to receive and exchange the same, within the times to be appointed according to the foregoing resolutions.”

There was thus a specific undertaking by the Government of the country, that it should bear the whole loss of the re-coinage. He had not been able to make out the amount, and Lord Liverpool said he could not ascertain how much it was. But he found in Macpherson's “Annals of Commerce,” that in the estimates for 1774 there was a sum of 46,000*l.* charged for making good the deficiency of the coinage, and that was separate from all expense of the re-coinage. It was the deficiency occasioned by the light weight of the guineas. In 1777 he found a further sum of 105,000*l.* for deficiency and for re-coinage; so that supposing the two sums to represent the whole expense, it would be 151,000*l.* The next great instance of re-coinage was that of silver in 1816. There was no gold coinage at that time, for a very sufficient reason, that there was no gold to re-coin. In the year 1816 the silver coinage was more depreciated than was ever known before. The Government determined to call it all in and re-coin it. Did they adopt the views of the present Government, that the holders should bear the loss? They did no such thing. It was provided that the loss should fall on the public funds of the country. The amount of silver coin called in on that occasion was 2,500,000*l.* It was stated by Lord Liverpool, in his speech on the subject, that the depreciation on that coinage was no less than 30 per cent. The sixpence was, in most cases, not worth more than 3*d.* Taking the deficiency at 30 per cent., the loss on 2,500,000*l.* was 750,000*l.* That loss was borne by the public in 1816. He had now the advantage of speaking to a Conservative Government who venerated the wisdom of the past, and the principles laid down by former Tory Mi-

nisters. He could not, therefore, do better than read to them the principle on which Lord Liverpool said the Government proceeded on that occasion. In his speech to the House of Lords in May, 1816, he said :—

“ With regard to indemnity, he felt disposed to propose, and he was sure the House would feel disposed to adopt, the most liberal principles. Their Lordships were aware that when a new coinage was issued in other countries and the old currency called in, the Government received the deteriorated money from the holders of it by weight, and not by tale ; so that the public incurred the loss that accrued from the wearing or clipping of it when in circulation. It became the Government and Legislature of this country to be more liberal.”

This was before the Reform Bill. Well, what did he propose ?—

“ He proposed, therefore, that all the silver which could be considered as legal tender, by having the proper marks, should be received at its current value when called in.”

The same principle was laid down by another great authority, who might have been consulted before the late proclamation was so rashly issued—he meant Lord Maryborough, who, as Mr. Wellesley Pole, introduced the subject to the House of Commons in May, 1816, and said :—

“ The public had for a very long series of years been left without any regular supply of silver coinage ; the consequence was, that the coin of the realm, by wearing and the various accidents to which time infallibly renders the precious metals liable, must be very much reduced in its value ; and yet the people had no alternative but to receive it in circulation. It would, therefore, be an extreme hardship to allow them to suffer for what might be called the fault of Government. He should therefore feel it his duty to propose the exchange of all the coin of the realm in circulation, however reduced it might be in weight.”

This, be it observed, was said when the reduction was far greater than  $1\frac{1}{2}$  per cent. Mr. Wellesley Pole added :—

“ But while, on the one hand, he was anxious to preserve the public from so heavy a loss, he was, on the other, equally desirous that individuals, particularly those of the poorer classes, should suffer as little as possible. It was, he feared, however, quite impossible to prevent many persons from sustaining a loss from the calling in of the old coin ; all that Government could do was to make the burden as light as possible.”

Thus at that time every man who had a shilling with any mark upon it of having

come from the Mint, might present it to persons who were appointed in thousands through the country for the purpose, and receive a perfectly new coin in return. Possibly her Majesty's Government might make out that all this told against him. They might say that the operation of Lord Liverpool in 1816 was an example to deter rather than a precedent to be followed ; that it was proper to adopt an entirely new course, instead of following the example of the Tory Government of that time. He would only say, that to the principle of that Government the objection was fifteen times as strong then as it was now, because the deficiency was then fifteen times as great. It might be said that the Government of 1816 did not pursue the same course with respect to the gold coinage. It should be remembered that upon the first issue of the present sovereigns and half-sovereigns, there were no sovereigns to call in. The coinage of gold at that time could not be drawn into a precedent. It was not a re-coinage, but an entirely new coinage. There was no old gold to be sent in. The whole amount of gold in the country, in 1816, was about half a million. A report of the House of Lords of that time, states there was in the Bank about 50,000,000 in notes and silver, leaving gold out of consideration as being of so little importance. The fact was, therefore, that no allowance was made for gold, because there was no gold to make allowance for. He said that in condemning the course of the Government he would point out that which he thought ought to have been taken. He thought they ought to have adopted, as nearly as possible, the course pursued by former Governments with respect to re-coinage. He knew the objection which would be made—that if Government said they would call in the coin on a certain day, receiving by tale and not by weight, good sovereigns and light ones indiscriminately, all the fraudulent practices of cutting, clipping, and sweating, would come into full operation. But might not the Government have avoided this by taking some time about the measure, and by proceeding without making what they were doing public ? Granted that the depreciation of the coin was an evil, and that the Government was bound to put a stop to it, the evil did not require to be stopped in a moment. It was not an evil until it became generally known. What made the

depreciation now so intolerable was the Government declaring that the coin was light. This alarmed everybody, and gave rise to the utter discredit of the gold coin at the present moment. Suppose the Government had said to the Bank of England, "Whenever you receive a light sovereign—a sovereign not depreciated by more than  $1\frac{1}{2}$  per cent., take it, and we will give you a good sovereign for it." The light gold would have been gradually got in, and the whole loss to the Government would have been about 90,000*l.*, as he said before. It might have taken two or three years to get in the old coinage in this way. Sovereigns depreciated more than  $1\frac{1}{2}$  per cent. might be refused. The public would thus learn that a very small quantity of the gold coinage was below weight, and fraudulent persons would find that they would gain nothing by deteriorating the coin below the amount he had stated. It would be said that some time hence the same thing would be to do over again, for the same frauds would be practised with this new coin. He really believed that the Government of this country, if they took pains, might adopt some mechanical precautions which would prevent abrasion of the coin, at least to the extent now complained of. But, granting that the process which he had described would have to be repeated ten or twenty years hence, would not the payment of 90,000*l.* every ten or twenty years be a small evil in comparison of the evil of discrediting the whole gold coin of the country? It might be that many hon. Gentlemen would not go along with him in saying, that the whole loss in cases of this kind ought to be borne by the Government—they might not agree with him as to the propriety of following the precedents of former times, in calling-in the gold coinage and issuing new coin in its place, the Government bearing the loss. However, he came now to the measure taken by the Government—he came to the mode and circumstances under which the proclamation had been issued, and he asked the House whether there ever was a measure of such importance taken with so little precaution? Why, the Government seemed to have issued the proclamation as one of the most ordinary things in the world, about which it was not necessary to communicate with anybody. There was not a word of explanation to Parliament or to the country, but, without notice, the

whole gold coin of the country was discredited. People were all at once sent to weighing the sovereigns before they could take them, and without a word of explanation from the Government. He knew that a measure of this kind made the public more cautious about taking money. What greater evil could there be than rendering the whole of the public cautious about money. What was the advantage of coined money? Confidence, and the facility of exchange which flowed from it. This excessive caution did away with the very advantages of coined money. It was driving men to the use of gold and silver bars. Look at the multiplication of doubts and uncertainties to which the distrust of the coin led in commercial transactions. Consider the loss of time and the inconvenience which it caused to the industrious classes. If this extreme caution continued, we should be driven to some of the practices which prevailed in the middle ages, and Gentlemen who had to receive money would have to go about, as the Jews did of old, with scales in their breasts, and pull them out every time that sovereigns were offered in payment. People were not sensible of these evils, having experienced nothing of the kind for the last twenty-five years. For twenty-five years such a thing as weighing sovereigns in the ordinary course of business had been hardly known, and the people had either forgotten or never knew the enormous evils occasioned by it. One of the things which gave him most alarm was the expression of an opinion in some quarters that the only remedy for the great evil of a light gold coinage was the return of the "good old one-pound notes." It was thought by some that that would place the currency on a sound footing. For his part, he dreaded nothing so much as the restoration of the one-pound notes; and he thought that Parliament should not, without extreme deliberation, come to such a remedy as that. Let them, he said, look to the precautions that had been taken in 1776. The matter had been going on for two or three years before it was finally determined. In 1773 an act was passed; in the next year it was mentioned in the King's Speech. There were debates on the subject. For two successive years there were debates in Parliament on the same matter; so that the public mind was perfectly prepared for a change in the gold coinage. In 1816, too, when the

matter was before Parliament, it was found that everything was prepared before anything was done. Let them, he said, mark the precautions that had been taken at that time. The old coin was not rashly called in, but the public was perfectly prepared, first, by the debates that took place on the measure previous to its adoption; and next, what was still better, on the change occurring, by a good silver coinage being ready to be issued. Mr. Wellesley Pole, in the speech to which he had before referred, showed that every precaution had been taken—he declared that nothing had been done with the old coinage until the new was ready—that no proclamation was issued until then, and even went so far as to apologise for the delay that had taken place, showing that Government was obliged, for the purpose of having this new coinage to come to Parliament for an act to enable them to issue it; otherwise Mr. Wellesley Pole said, that the new coinage would have been ready. He was himself old enough to recollect what had then happened with regard to the coinage, and that then every one received a new shilling for the old one he delivered in. No loss was then sustained by the public. And now, he asked, what had the present Government done? They had no new coinage to supply the place of the old; they had no preparatory measures adopted. They had not even adopted proper precautions to meet the wants of individuals; they had no certain places fixed, where parties might deliver in the old coinage and get new coinage in its place, supposing that the individuals were to bear the loss. Supposing it to be right that the individual should bear the loss, still he ought to have a new coinage in place of the old. How was the difficulty now created to be met, but by substituting a new coinage for the old? What had the Government been doing? Nothing in order to provide a substitute for the old coinage, except publishing a recent proclamation for the issue of half-farthings. That was the new coinage of the Government. The Government seemed to know the wants of the people. Knowing the diminution of the circulation; knowing how moderate were their means, and how impoverished their circumstances, a proclamation was issued for a coinage which would enable them to make very little payments. But then there was another proclamation, stating that certain sums of

money would be changed—though only very large sums. The Chancellor of the Exchequer never ventured to suppose that there could be a man who had only a sovereign, or half a sovereign. No, he could not believe there was such a thing, and therefore he took the precaution that the holders of fifty sovereigns might, at a stated place in the Bank, find persons ready to buy his fifty sovereigns from him. But for any sum below that there were no means of having it changed. He was quite astonished at the very cavalier way in which the Chancellor of the Exchequer had treated this matter when the subject was before mentioned to him; for then it seemed to occur very suddenly to him, and as if for the first time in his life, that a man might have at his command a less sum than fifty sovereigns; and then the right hon. Gentleman said he would try whether he could not discover some method for taking smaller sums. Gentlemen opposite had put their heads together, and they actually devised a plan by which a man having twenty sovereigns could now go to the Bank and have them changed. But there was another matter, in which the carelessness of the Government was still more extraordinary, and much more culpable. If the holder of light coin was to be at the entire loss, then it should have been only the legitimate and the actual loss that ought to have been imposed upon him. It was the duty of a wise Government to take care, when they issued such an alarming proclamation—one that announced that the sovereigns and half-sovereigns then in circulation were light—at least to have told the people the average amount of the depreciation. If the right hon. Gentleman had said in his proclamation what he said to the hon. Member for Malton last week—that the average deficiency was 1 and 1½ per cent.—how many poor persons would have been saved from being cheated of their fair earnings. It was the part of the Government to have done this. The Government told the public that the coin was depreciated, but not how much—and what was the consequence? The week before last, the poor man was left completely at the mercy of the shopkeepers. It was almost incredible the amount of fraud committed—all of which was caused by the carelessness of the Government. The fraud was in truth quite frightful. He had heard in Fimlico of several instances in which the wages of

women—ten shillings a week—a shilling was stopped; and in the wages of men—a sovereign a week—2s. were stopped—that was 10 per cent. out of the earnings of the poor. What must it have been when houses in town stopped 6d. out of every sovereign! There was hardly a shopkeeper who did not stop twice the amount that he ought to have deducted. In many cases shopkeepers made a merit of only stopping 3d. out of every sovereign, which was about three times the amount that ought to be taken. To show them the way, the intricate way in which the fraud was carried on, he should mention that which had been told to him since he came into the House. An employer sent to the Bank for money; he got sovereigns for the purpose of paying his men with them; the workmen took the sovereigns, which were weighed at the Bank, and could have been so proved by the person who brought them, as being full weight; and yet the tradesmen to whom they were brought all refused to take them except with the deduction of 6d. There was, in truth, no knowing the extent to which this fraud had been carried. Now, what ought the Government to have done when they came out at once upon the public to tell them that the coin was depreciated? They ought to have said, "We mean that you should bear the loss, but the loss is only to such an amount, and if any one seeks to make you suffer a greater, he is attempting to cheat you." The Government did not do this. They only told the public in vague terms that the coin was depreciated and then they left to the mercy of the fraudulent the poorest persons in the community, who happened to be the holders. The losses incurred and the frauds that had taken place, he said, were to be attributed to the carelessness of the Government. It was mentioned very generally out of doors, that all the time that the Bank was refusing to take light sovereigns it was issuing light sovereigns. It was said, that people going to the Bank and paying light sovereigns, a deduction was made: that a man receiving sovereigns in one part of the Bank and going to make a payment with the same sovereigns to another part of the Bank, they were declared to be light, and rejected. In many cases, too, it was mentioned, that when the Bank paid sovereigns, it frequently happened, afterwards, when they were weighed, that they were found wanting.

It had, too, been mentioned that it was the Bank that had urged the Government to adopt this plan with respect to the coinage. It was, he thought, really too bad that a public body while it refused bad money with one hand should be issuing bad money with the other. He thought it right to bring this matter formally before the House, because a very great loss had been inflicted on the country, and he might well ask what period was chosen by the Government for inflicting upon the country the mischief of a discredited currency? It was a period of the most unexampled distress—a period when, from other causes, trade and commerce were never so much paralysed—when the labourer could obtain little employment and less remuneration—a period of much greater affliction than was known of in the history of their country. He should have thought that the course of a wise Government, knowing the unavoiabable pressure which there was upon the public from other causes, would have been to be exceedingly cautious, and not to do anything that could add a further burden to that which weighed the public down. They might assuredly have waited, and they ought to have adopted every precaution, in order that the blow might fall as lightly as possible upon the public. He knew not to what cause to attribute this carelessness in the Government. He knew that the right hon. Baronet was regarded as the father of the acts of the Government; but yet he did not know that they were to fix the blame of this on him. There was, to be sure, his right hon. Friend the Master of the Mint; but then that Gentleman was very usefully employed in the public service as Vice-President of the Board of Trade; and he supposed the Atlantean double shoulders were able to bear. He supposed that the zeal of his right hon. Friend in the one department did not permit him to have any leisure for the other. As Vice-President of the Board of Trade, his right hon. Friend had the tariff to concoct—he had to meet deputations, and to get rid of them—and then he had to come down to that House, and to defend every article in the tariff, which Gentlemen might be assured was no light task, because he had to prove to those sitting on the Opposition benches that what he proposed to do would be a great advantage to the consumer; and then he had to turn

to those on the Ministerial benches and to convince them that those reductions he was proposing to make would occasion no reduction at all. Under all these circumstances, he said, that such was the mischief occasioned by his right hon. Friend being so much engaged, that he wished to God he had let the burden of the tariff be shared by others; because, he ventured to say, wonderful and admirable as the tariff was, that there was inflicted more harm upon the poor people by the loss on the coinage, in one fortnight, than the tariff would make up to them in the course of a whole year. He assured the Government that his object was not merely to incriminate them for what had occurred; he had another object in view; because he should be most satisfied if they could come forward and explain the reasons (that which they had not yet done) for this sudden and unexpected act. He might be allowed to remind Gentlemen and the public, that this was not a time, when a Government would take the high course of following out their own ideas, of doing that which might involve the best interests and deal out injury to the great classes of the community, without their vouchsafing to give to the public the grounds for the course they had taken, and that they had deemed it proper to adopt. The working classes were not, at the present moment, in a humour to be trifled with in this manner. They were intelligent; they were in some degree suspicious of the manner in which their rights were dealt with; and it would not be sufficient to tell them merely that what was done was the simple act of authority. Never was there a period when a full explanation on the part of the Government could be made to the good sense of the community with a greater certainty of producing a good effect. If the Government would show that there was no trifling, and no careless interference with the interests of the public—if the Government could show that its acts were taken with a view to the welfare of the community—then they might be sure that the people, whatever were their sufferings, would be content, since they were convinced that a wise and just course had been pursued. If the right hon. Gentlemen could give a satisfactory explanation, which he hoped he could do—if the right hon. Gentleman could show that the conduct of the Government was wise, and founded on sound

principles—if he could show that the Government had consulted the best interests of the public—if the right hon. Gentleman could show that what he himself had done was proper—and if the right hon. Gentleman could show that he was unjust when he charged him with a want of precaution, there was no one who should more sincerely rejoice in this than himself; and he thought that he was doing the Government great service when he enabled the right hon. Gentleman to give such an explanation. If, on the contrary, the Government should fail in making out a defence, then he maintained he was doing a good service to that House by showing that, however poor or however helpless people might be who suffered from the conduct of the Government, there were those in that House who felt a sympathy for their sufferings, and who would not permit them to be ill-treated without seeking at least to procure for them redress.

The *Chancellor of the Exchequer*, in replying to the observations of the hon. and learned Gentleman, had to ask for the indulgence of the House, though he thought that the hon. and learned Gentleman, in bringing this question forward when it was not intended as the immediate topic of the evening, had adopted a course which, if generally followed, would be found most inconvenient. They would be hearing speeches on the Order of the Day, having no reference to what was the business they had met to discuss, and must only cause that business to be postponed to an indefinite period. He promised to confine himself to the subject which the hon. and learned Gentleman had discussed,—and not to delay the House one moment longer than was necessary to reply to the hon. and learned Gentleman. The hon. and learned Gentleman had complained of the measures taken to withdraw from circulation a portion of the gold coin which was not of the current value. The House ought to bear in mind what was the state of the law on this subject. The principle laid down by the law was, that when gold coin was reduced under a certain weight, it was to be no longer a legal tender—no person could be compelled to take it—and the person who so took it, could not compel another to take it at the value of the coin current of the country. It followed, therefore, that when there was a considerable portion of the gold coin deficient in weight, it was not a legal ten-

der in payment—it might be refused; and it could not be an advantage either to the poor or the rich, to have such a circulating medium amongst them. On the contrary, it must be injurious to every one connected with land, trade, or manufactures. He was quite ready to admit the inconvenience, and when he stated the inconvenience, he did not undervalue the inconvenience which every measure that might be adopted with regard to the current coin of the realm must occasion. It was impossible for human ingenuity to devise a plan by which these changes, as to the coinage, must not press more or less upon society, and necessarily it must do so most on the lowest orders in society, because they were the most easily deceived by those disposed to make a profit of their ignorance. The hon. and learned Gentleman had told them of the evils that had followed from the proclamation with respect to the depreciated coinage; but let them see what would have been the consequence if some measure were not taken to resist the progress of this depreciation. He was quite ready to admit, that it would be far more for the advantage of every interest in society if the public were more frequently warned, from time to time, as to what was the exact state of the coinage. He took some blame to himself, that when he was in the Home Office he had not communicated to the public, by proclamation, the provision of the law in this respect. He thought it unfortunate at a subsequent period, when a quantity of light coinage was in circulation, that some measure to the same effect had not been taken. But then it was said, that this was not the particular moment at which the proclamation ought to have been issued. It was very possible that the moment of distress was not that at which the evil of the depreciated coin, they could best apply the remedy so as to produce the least inconvenience; but then, if they admitted that it would be more advisable that the public should from time to time be reminded that coin under a certain weight was not a legal tender, then they must admit, that for a longer period to allow the evil to grow greater and more intolerable, was not the mode which the Government could best adopt to save the people from loss and inconvenience. The evil and the pressure of the evil must be always in the proportion that the light coin bore to the

whole coin in circulation. If they were to allow the light coin to circulate, the evil would considerably increase, and the quantity of light coin would be considerably magnified. When the circulation of the coin was healthy, there was but little temptation to use fraudulent means with respect to it; for then the light coin could be easily detected; but when a considerable portion of the coin became light, nothing could be more easy than to reduce the weight of the good coin, and make a profit by the deterioration. Under these circumstances it was necessary for the Government to take the earliest possible measure to withdraw the light coin from circulation. The hon. and learned Gentleman complained that no measures had been taken to let the public know, before the proclamation was issued, that a large portion of the gold coin was under the weight required by law. He said, that it was a matter neither known to Parliament or the public. He believed there was no man engaged in any branch of the public service who was not aware that a portion of the gold coin was of diminished weight. It had been brought distinctly before the committee on the banks of issue. The country banks complained that there was a refusal on the part of the Bank of England to take the light coin from them, and that it exposed them to considerable risk. If that coin were not to be taken in discharge of their obligations—if it were not a legal tender, it followed, that the banks were exposed to a considerable risk, and might lead to consequences which would affect all connected with the country banks. This had been stated distinctly before the committee on the banks of issue. The Bank had made repeated communications to the Government of this growing evil; and when he entered into office he had had repeated communications, not merely from the Bank of England, but he could truly affirm, that communications had been made to the Government by banks in the country, of the greatest respectability, and the most conversant with the monetary system, all complaining of the evils which this light coinage was inflicting upon the trade and the interests of the community. The evil was generally complained of. As far as the Bank was concerned, the law had been strictly adhered to. It had neither issued nor received sovereigns, except they were of full weight. Some

branches of the revenue acted in the same manner. Though there might not be a general weighing of the coin, yet the conduct of the public departments was well known to every private banker. There was the constant indication that no coin would be received below the weight authorised by law. Under these circumstances his right hon. Friend had judged it right that measures should be taken to withdraw the light coin from circulation, and it was the more necessary to do this because he must beg the House to observe that the measure was one that could not be taken at every moment. The hon. Gentleman said, why not defer it for a longer period? The evil, he said, would be but the more aggravated by the addition which the intervening period would give to the amount of depreciated gold coinage. He found that the quantity of gold was increasing in the country; that the period was one when the light coin could be withdrawn with the least possible inconvenience. This might be done now; but the next year, or the year after next, the exchanges might take a different turn. The evil was now great; but if not checked, it would grow with an aggravated velocity. When he saw this, it was his duty to take measures of security, and not to permit the evil to proceed until it could not be borne any longer. These were the reasons why the present measure was adopted; but then the hon. and learned Gentleman said, in doing this, that the measure adopted was entirely at variance with former precedents. The hon. and learned Gentleman had gone through a number of precedents from a very early period, and said that he thought the present Government would at least have followed those precedents, from its veneration and respect for those who had set them. Now he must say that the hon. and learned Gentleman had selected his precedents with peculiar infelicity. So far as these precedents bore upon the conduct of the present Government, they were directly of the opposite tendency to what the hon. and learned Gentleman supposed. He did not mean to go so far back as Henry 7th. He meant to content himself with going to the precedents set in modern times. First, he took the precedent set of the silver coinage in 1816. The hon. and learned Gentleman's precedent was exclusively confined to the silver coinage. The hon. and learned Gentleman had re-

ferred to what was done in 1816, when Lord Liverpool and Mr. Wellesley Pole were First Lord of the Treasury and Master of the Mint. The hon. and learned Gentleman said that an arrangement had then been made for a distribution throughout the country, for the purpose of giving new coin instead of the old coin. Then, the arrangement was made that the public should bear no loss. Now he had to call to recollection that the principle on which the gold and silver coinage was established was totally distinct. The silver was a mere "token." The Government had a large profit on it, by the seignorage, and it would be most urgent that it should not exchange the old tokens, on which it had made a profit, for the new. He next came to the period of 1773 and following years. He could tell the hon. and learned Gentleman that the course then pursued was, in effect, though not in terms, that now adopted. It was noticed in a proclamation that the coin was under a certain weight; what was its Mint price, and what the deductions to the public? The coinage called in was taken at 3*l.* 17*s.* 10½*d.*, instead of at a lower rate, which the gold might only produce in the market. The effect of the proclamation was to divide the loss between the holder of the coin and the public, and to make each proportion bear the loss. In 1773 and the following year that principle was laid down and acted upon. Now he thought that the hon. and learned Gentleman must see from the account itself that when the amount of this changing of the coinage was set down at 157,000*l.*, that of the whole loss the largest proportion must have fallen upon the holders of the coin. When they calculated what was the mere expense of re-coining, they must see that but little remained as an equivalent for the diminution of the weight. The difference between the cases of the year 1775 and the present time was this, that at the former period the deterioration in the coinage was universal. It was not a partial, but a general deterioration, and it was to avoid placing ourselves in the situation in which we then stood—a situation which the hon. Gentleman who had read Lord Liverpool's treatise upon the subject, must be well aware was one pregnant with evil, and it was for this purpose that it was determined to withdraw that portion of the coin which was below the proper value from the circulation of the country.



The hon. Gentleman had stated that the mode in which Government had dealt with the question was a most objectionable one. He complained of the proclamation as having given a too hasty and abrupt notice to the public, and as taking it by surprise. He should be glad—for no man less wished to surprise the public than he did—he should be glad if the hon. Gentleman would tell him how he could give a notice which would not take the public by surprise. If he had whispered to the hon. Gentleman in confidence that there was a large portion of the current coin of the realm extremely light, and if he had added an injunction not to mention the fact to any body, he very much doubted, despite the high opinion which he entertained of the discretion of the hon. gentleman, whether the whole matter would not be published the next day in the newspapers and proclaimed at Charing-cross, coupled with an intimation of all the evils which a light currency would tend to produce, and, in addition, a hint that he should have lost the confidence of the public for not having taken effectual means for remedying the progress of the evil. The best way was to deal openly and straight-forwardly. They could not make confidential communications to individuals as to the state of the coinage, which, if it were allowed to go on, would fall heavily on that very class which he was most anxious to protect; for if there was one class which suffered more from the coin of the realm being depreciated, than any other, it was that involving the humbler orders of the community. That class was at present suffering under pressure it was true, a pressure which could only be justified by saying that it necessarily took place in consequence of the dishonesty of certain persons, and by arguing that the light coinage, was an evil which, if permitted to go on, would get beyond all the remedies which the Government could apply to it. But the hon. Gentleman had stated that he had a plan by which the object could be effected in a better manner than it had been by the plan of the Government. His method, as he understood it, was this, that to all the towns throughout the country a large amount of gold should be sent down, with an announcement that on certain days, or up to a certain time, light sovereigns would be exchanged for those of the genuine weight. Now, what would be the effect of this?

It would impose on the public a most enormous charge, which would operate in its reflux upon the class now principally suffering, by imposing on them a heavy amount of taxation, in order to provide for that loss which would ensue, if, when a portion of the coinage only was light, arrangements should be made for exchanging the whole. He had understood the hon. Gentleman to say that the Bank should have been directed to take sovereigns of a certain weight as if they were genuine legal tenders. This was to be confidential. But if the Bank did so, he feared there were certain gentlemen in the city of London who were skilful enough in the mode of reducing the coin to the value at which the Bank was to accept it, to render it pretty certain that were such a plan adopted, they would have to exchange many new sovereigns, because they had undergone the operation—an operation which, he could tell the hon. Gentleman, was much more skilfully and easily performed now than in former times. The progress which had been made in chemistry and mechanical science could be brought to bear against, as well as in favour, of the public interests, and not only would every sovereign be exchanged for new, but the new issue would as speedily be reduced and returned, so that the cost falling on the public would be actually indefinite. That was the reason why he should object to the plan of the hon. Gentleman, and he could not but think that had he adopted that plan, he should have had objections urged against it more strong than any which had been alleged against that of the Government. He sincerely regretted that persons had taken the opportunity of imposing on the public in this matter—he regretted that there were persons who had not been contented with asking for a reduction on light sovereigns, but had absolutely refused to take sovereigns of the legal weight without making a deduction from the amount. Such a course was at variance with the law, and it was advisable that the public should know that those who did refuse the current coin of the realm, of legal weight, rendered themselves amenable to the law, and liable to imprisonment. This was a piece of information which he was happy to have the opportunity of stating in the House, because, as far as regarded that part of the evil, he hoped that his statement would put an end to it. With respect

to the other portion of the evil, arrangements were on foot to enable those who held light coin, in all cases to obtain the full value; and from all he had heard, he had reason to believe that the evil had considerably subsided, and that the public, understanding the real value of the coin which they held, were generally receiving the amount of the Mint price for defective coin. He did not believe that it would be necessary for him to proceed more at length in answer to the objections of the hon. Gentleman. He was quite aware that under whatever arrangements a withdrawal of light coin could be effected, that withdrawal must be attended with cases of individual evil; but he was bound to balance against that evil the individual injury which would ensue if the proportion of light coin were permitted to accumulate, and the evils which it would produce, not only in respect to that class which was at this moment principally suffering, but the injury which such an accumulation would produce to the general trading and commercial interests of the country. Believing, therefore, that by interposing at this moment—at a moment which, from circumstances which he had already stated, was a peculiarly fit time for the withdrawal of the light coin—he had not hesitated in recommending and adopting the measure now before the public, convinced that whatever its pressure might be, the Government had taken all pains to render it as light as possible; that it was a measure of precaution against those greater dangers which Government could not only not overlook, but which it was their bounden duty to prevent. It was on these grounds that the measure in question had been adopted and promulgated to the public; and he had no doubt that after the first pressure had passed away—a pressure the existence of which he deeply deplored—there would be a general feeling that the withdrawal, accompanied as it must be by clear intimations in future from time to time of the state of the law upon the subject, thereby calling the attention of the public to the necessity of weighing coins, he had no doubt, he repeated, that they should experience the benefits of the change, and that they would get rid of that load which pressed so heavily upon the monetary interests of the country.

Mr. *Hawes* thought that, under the circumstances, his hon. Friend was quite justified in adopting the course which was

open to him of calling the attention of the public to the subject; for, had he adopted another course, he would have been obliged to wait for a committee of supply, or the subject must have been postponed until the object in debating it had passed away. But what was the amount of the answer of the Chancellor of the Exchequer?—what was complained of? If his hon. Friend had undervalued the evils of a light currency—if he had undervalued the importance of a change when it became needful in the currency—if he had said that it was not expedient for the Government to step in and prevent the proportion of light gold from increasing—if his hon. Friend had made any of these assertions, the speech of the right hon. Gentleman (the Chancellor of the Exchequer) would have been appropriate; but it was in reality a speech addressed against observations which had never been made to the House. His hon. Friend never undervalued the object of Government—he never said that Government should not interfere. What he did say was this—that the measure having come into operation without notice having been given, and without due provision having been made for exchanging the coin, that these circumstances proved defects in the plan which had not marked any similar plan of former years; and that, therefore, the Government was chargeable with indolence and carelessness in adopting the plan which they had selected. The right hon. Gentleman the Chancellor of the Exchequer had stated that the precedents quoted by his hon. Friend were not in point, and that the greater number of these precedents had reference to the silver coin. As respected the latter assertion—granted. Take the case of 1774 and the subsequent years, what were the resolutions of the House?—what was the course adopted by the Government? Was it similar to the course which had lately been taken? It was said that the difference between the cases was, that in the former instance the whole of the gold coinage was deteriorated, but at present only a portion of it was depreciated. He could see no distinction in principle between the two cases, because by discrediting the whole coinage, they created to all practical purposes the evil which then existed, and they were about to take some means to remedy it. In the year 1774 the subject was a matter of discussion in

Parliament, resolutions were voted, and a bill was founded on these resolutions. The whole matter came under consideration, and the result was, that it was determined that the loss should be borne by the public. In addition to that, it was described by Lord Liverpool in his treatise as a fundamental principle, that when a change of this sort was necessary, it should be effected at the public expense, and not at the expense of the individuals holding the light coin. It was not their fault that the coin was under weight.—there could be no justice in punishing the last holder. Gold coinage was a great instrument of exchange, and why was the last holder to pay the penalty for all the tear and wear which it had received through a long circulation? The right hon. Gentleman the Chancellor of the Exchequer had denied that the House had recognised the expediency of Government sustaining the loss when light sovereigns came to be exchanged. The right hon. Gentleman must have forgotten that in the 7th resolution, passed in 1774, it was stated :—

“ That, for the purpose of calling in the said guineas, half guineas, and quarter guineas, it is proper that certain days be appointed, after which they shall not be allowed in payment, or to pass, except only to the collectors and receivers of the public revenues, or to such persons as shall be appointed by his Majesty to receive and exchange the same; and that certain other days be appointed, after which they be not allowed to pass in any payment whatsoever, or to be exchanged in manner before-mentioned.”

And in the 9th resolution it was stated :—

“ That the public should bear the loss arising from the deficiency and re-coinage of the said guineas, half-guineas, and quarter-guineas,” &c.

The right hon. Gentleman the Chancellor of the Exchequer, had stated that silver coins were merely tokens, and that a great distinction existed between silver and gold coinage, because Government made a profit by the re-coinage of the latter. He could not see the distinction. If the re-coinage of silver yielded Government a profit, and if the gold yielded no profit, why were individuals to pay for the lightness? There was no ground on which the course adopted by the Government could be justified. At former periods, when a necessity for similar changes existed, the Government called in the aid of distinguished men,

and asked their advice upon the subject. In the reign of William 3rd, Locke, Halley, and Newton, were consulted. Locke, it was true, stated it to be his opinion, that the individual should bear the loss; but Parliament acted against this opinion, and decided that the public should bear the loss. Therefore, although he must give up the opinion of Locke, he had in his favour that of Parliament recorded against it. In 1774, Sir Joseph Banks was consulted. Now, gold coin was called in without any previous inquiry being made into the causes of the deficiency in the weight—the whole of the gold coinage was discredited, and not one remedial measure did the Government adopt. If the Chancellor of the Exchequer had consulted eminent men—if he had come to his conclusions on their authority—if it was admitted, that a deficiency existed—if he had told the House the mode in which he proposed to remedy it—if he had done all that, they would also have done all in their power not only to remedy the existing deficiency, but to prevent the recurrence of such a circumstance. But the right hon. Gentleman had jerked forth a proclamation, unaccompanied by any sort of precaution—he had placed the poor man in a situation of great difficulty, and made him who could the worst afford bear the loss? What right had Government to throw on the last holders the burden of keeping up the gold coin in its original state? In the time of King William, it was thought requisite to impose a new tax for this purpose. A house duty was laid on, which was to endure for seven years, in order to provide for the expenses of the re-coinage and, therefore, his hon. Friend was right in stating that all precedent was in favour of the public bearing the loss; and all precedent, too, was in favour of the course, that whenever the alteration did take place, that it should be accompanied by some measures for facilitating the exchange, and for preventing the re-occurrence of a similar deficiency. He might easily suppose, that improvements might take place in the art of coining, and that by chemical and scientific means the chances of abrasion might be diminished. At the time of the re-coinage in 1774, the opinions of Bolton and others were taken, and Lord Stanhope proposed certain plans. In the year 1842, with all the recent improvements in mechanical science at our hand,

no means were inquired into or suggested either for the exchange of the gold, or for preventing the recurrence of similar circumstances. His hon. Friend had done quite right in bringing the matter before the House, and the conduct of the Government was deserving, as he believed, of much animadversion. He thought, that a committee should be appointed to inquire and to discharge that duty, which the Government had so grossly neglected.

Mr. Baring wished shortly to state his opinion upon the subject under the notice of the House. He believed, with the right hon. Gentleman, the Chancellor of the Exchequer, that the present time was a fitting one for taking steps with respect to the gold currency, and he believed, that the flow of gold into this country placed it in the power of the right hon. Gentleman, without causing any very serious public danger to withdraw from circulation the light sovereigns. Nay, he believed, that the right hon. Gentleman could not justify himself, were he to delay longer in adopting some measure for the purpose. Having said so much, he might state that he considered his hon. Friend fully justified in bringing a subject of such importance before the House. It was a great advantage to the public that there should be some discussion in the House upon the point, not only as it might prevent them from being so much misled as they had been, but in order that the Government should have an opportunity of stating the grounds on which it had acted. As far as he understood the matter, he concurred in that view which held that the loss had been fairly divided betwixt the holders of coin and the revenue. The loss had been divided between the parties who held the coin and the revenue, and that was the course, as he believed, which was the fairest in itself, and the least open to inconvenience. If they were to admit to exchange light coin in all cases, the result would be a heavy charge on the public revenue, and a gain to those who deteriorated the coin. He must say, also, he did not think the change could be effected without becoming known to the public, and he was sure, that on this point his hon. Friend relied too much on the secrecy of officials, and had not sufficient confidence in the intelligence of the public. He might state, moreover, that it was absolutely necessary on many occasions for the Government to give notice to the whole public at

once, and in doing so, they must sometimes run the risk of not having their preparations entirely perfect; though he was not prepared to say, that on the present occasion some arrangements might not have been made by which the inconvenience attending the present measure might have been rendered lighter.

Mr. Bernal said, the right hon. Gentleman, the Chancellor of the Exchequer, had stated, as he always did, the facts and the law of the case most correctly, but the right hon. Gentleman forgot, that in a country like this, the prosperity of which was based upon commerce, there was something else to consider beyond the strict letter of the law—there was expediency. When the right hon. Gentleman stated that it was well known that the Bank for some time past refused to accept light gold, did he not recollect that not a private banker in the country would dare to refuse tenders of sovereigns, whether of or below the standard weight? The right hon. Gentleman was right, no doubt, in attempting to check the progress of the evil of deteriorated coinage, but the public were not prepared for the proclamation. Did the right hon. Gentleman know that within the last eight days the pressure on certain classes in the country had been quite intolerable—that the channels of business had been choked up—that trade had been paralyzed by the impossibility of passing gold coin, whether legal or illegal—and that dishonest people had availed themselves of the opportunity to impose on the public? When the first notice was given, it was intimated at the Bank that sovereigns, in numbers amounting to fifty, would be received and exchanged. He then drew the attention of the Chancellor of the Exchequer to the subject upon a question asked by an hon. Member. A large class of the people were not likely to have such sums as fifty sovereigns to take to the Bank, and what were they to do? At present the Bank took sums amounting to twenty sovereigns. But even that did not meet the evil. People who were paid perhaps 1*l.*, or 1*l.* 5*s.*, or 1*l.* 10*s.* per week, could not carry a balance in their pocket to weigh all they received. He was sure there was no hon. Member who had not experienced the inconvenience caused by the late proclamation, and what must that inconvenience amount to with working men, and to retail dealers in the

country? The speech of his hon. Friend, and the reply from the right hon. Gentleman, applied to the question whether it was good policy to keep up the gold coinage, because, if that coinage was exposed to the deterioration which it had already encountered, what was to prevent it from undergoing a similar depreciation in a fortnight after its re-issue? What was to prevent them from finding themselves in a similar dilemma again? He ventured to say, that if the right hon. Gentleman (the Chancellor of the Exchequer) had consulted his friends in the city, they would have advised him not to have proceeded as he had done.

Sir R. Peel: Nothing is more discouraging in the performance of a public duty than to question the propriety of acts which can be traced to no motive but a zeal for the public service. I do not think the Government make any idle boast when they claim credit for having the courage to take steps to prevent the gradual deterioration of the gold coinage. If the evil were allowed to go on increasing, it is impossible to say what the consequences might be. It is impossible that such a step as that determined on should be taken without causing a good deal of individual suffering, and that such cases of hardship should not be urged as a conclusive reason for the postponement of a remedy. Every hour of delay, however, must aggravate the evil, and increase the ultimate suffering. The hon. Gentleman who spoke last seems to think that suddenly, and without any previous communication, her Majesty's Government had determined on issuing this proclamation. No Gentleman on this side of the House, the hon. Gentleman complains, was aware of the intentions of her Majesty's Government. That is perfectly true; and such a measure is of a nature that no private intimation should be given of it. When the community is likely to suffer from partial disclosures as to the course meant to be taken, I am persuaded that the intention of the Government and the nature of the change should be promulgated at the same moment. So far from thinking the abstinence of the Government in communicating their intentions to bankers holding Conservative opinions, and thus enabling their friends to prepare for the change, or what would be equally unfair in authorising certain *ex officio* paragraphs in newspapers as to the supposed intentions of the

Government, I think such an omission the highest compliment which could be paid to her Majesty's Ministers. But has not public attention been called to the subject? Were bankers not aware of the depreciation of the gold currency, and did they make no communications to the Government on the subject? On the 20th of January the bankers of London wrote to the Treasury to this effect:—

"We feel it our duty to represent to your Lordships the great inconvenience which arises from the light gold coin in circulation, and we beg to suggest that power should be granted to the Bank to cut such sovereigns as are under proper weight, and that arrangements should be made for issuing them in accordance with the Mint price of 3*l.* 17*s.* 10*d.* per ounce.

This letter was signed by Barnett & Co., Masterman & Co., Loyd & Co., Prescott, Grote, & Co., and several other leading banking firms. So sensible, then, were those gentlemen of the evil of continuing light coin in circulation, that they wrote to the Government in the terms I have stated, anticipating, of course, the danger which must arise, if no remedy were applied. But it is contended by the hon. Member who originated the discussion, that in consequence of the general suffering and distress, this change ought to be postponed to another period. I think, on the contrary, that we cannot select a more favourable opportunity than that presented by the present state of the exchanges, and the influx of gold, which gives peculiar facility for such an operation. There is an authority on this subject, to whom every committee on banking affairs, and every Government, is deeply indebted—I mean Mr. Horsley Palmer. That stated in a communication which has been placed in my hands:—

"It is necessary for those connected with the management and use of the currency, to press upon her Majesty's Government, through Sir R. Peel, the great and growing evil we are all sustaining from the depreciation of the gold coinage. I believe that the Bank of England has done everything in its power, by constant and frequent representations upon the subject, both to the late and present Ministers. The evil has been admitted, but no remedy whatever has been suggested by the Government to the present day. The prominent points are as follow.—1. The effect upon the foreign exchanges, which, in the event of an unfavourable course again existing, will either be exhibited in an advance from 1 to 1½ per cent. on the price of standard gold

above our Mint price, judging from the character of the present depreciation, or by draining every sovereign from the vaults of the Bank, the consequence of which you can estimate as well as me. 2. The present abstraction from circulation of a very considerable amount of currency, consisting of the surplus light gold that the bankers in London and the country are unable to pass through the Bank of England, or in payment to the receivers of the revenue. If an arrangement be made for such sovereigns being received upon good terms for account of the Mint, bank-notes would immediately issue to the extent of the receipts, and so far increase the money circulation of the kingdom. 3. The last, and which may, perhaps, be considered the most important objection in a public point of view, is the great inconvenience to which the public are subject from this depreciation.' Having thus briefly referred to the evils that exist, it seems to me that a very prompt and easy remedy may be afforded, if Sir Robert Peel can be induced to adopt it—viz., to apply to Parliament, as one of his first measures after Christmas, to authorise the Bank to clip all sovereigns presented, which power was formerly possessed in the case of guineas, and at the same time, to sanction the receipt of such light coin for account of the Mint at the standard price of 3*l.* 17*s.* 10*d.* per oz."

Although we might have avoided much clamour by postponing again the present measure, we thought at this time we were peculiarly called on to take immediate steps for fixing definitely the value of the gold coinage. I need, however, say no more on this point, after what has been in so fair and manly a spirit stated by the right hon. Gentleman the late Chancellor of the Exchequer, whose practical knowledge of such subjects is indisputable, and who admitted that representations had been often made to him while in office, that nothing but the peculiar position in which he was placed, prevented him from dealing with the evil, and that he approved generally of the measures we had taken, though he objected to some of the details, as not calculated to effect the object we intended. That is the testimony of one than whom there cannot be a more competent judge. I do hope that the hon. Member for Liskeard is himself convinced that this evil is one which can only be aggravated by delay until it ultimately becomes too great to be stayed by any efforts which the Government can make. I am quite aware of the sufferings of the people, and the impoverished state of trade; but these constitute no justification for postponing to another year the appli-

cation of an obvious remedy to a gross abuse in the state of our coinage. I have now disposed of one part of the hon. Gentleman's speech. The other, and the main ground which the hon. Member took was, that the public treasury (and I think there was some confusion in the authorities of the hon. Gentleman on this point), and not individuals ought to bear the burdens of this charge. Now, I wholly differ from that position. I believe that the great safeguard against a lavish expenditure on this subject, is the Treasury and not the House of Commons. And the right hon. Gentleman opposite (Mr. Baring) confirms my view, for he says we have divided the loss with perfect fairness, and that there is no cause of just complaint, that the Treasury has not taken the whole burden on itself. The Treasury does bear the whole expense of the difference in value of the gold contained in a sovereign, when it is given out to be coined, and its value when it is converted into coin, but the hon. Member maintains on great authorities that the Treasury should also bear the expenses of wear and tear. I differ from him entirely. I do not think that in Queen Elizabeth's time the Treasury bore any such charge. I do not apprehend that the treasury of any foreign country bears such a charge. When the silver coinage was re-coined in King William's time, Mr. Locke (as stated by the hon. Member for Lambeth) was consulted. True, he was consulted, but his opinion was not followed. Here is the history of the transaction, as given by Lord Liverpool:—

"In the re-coinage of the silver coin in the reign of William 3*rd.*, Mr. Locke was of opinion that the old silver coin should be received according to their intrinsic value, by weight. The House of Commons, however, being of a contrary opinion to Mr. Locke, consented to pay the loss arising from the defects of the silver coinage, and ordered the public receivers to take the clipped money as payment. The consequence was that this regulation acted as an encouragement to the further clipping of the coin, and gave the clippers all the advantage they could desire, as they were now sure of a market for clipped money, whatever the defect of its weight might be. So that what had been held, and hitherto escaped, underwent the same fate. The historians who give an account of this transaction, think it not improbable that more coin was clipped under this general license than there had been before. I have never been able to obtain an account of the charge incurred for

compensating the deficiency of these silver coins. This compensation, as well as the charges of the mint for recognizing these deficient coins, was enormous. Such was the state of distress (and this observation is not inapplicable at present), and even confusion, that the people were ready to pay anything out of the public purse, in order to relieve themselves from the difficulties to which their private concerns were exposed.

Such was the result at that time, and, depend upon it, similar consequences will follow if you adopt the same course now. If you will act, not suddenly, by issuing a proclamation, but whispering about that the Government contemplate taking some such step, and that the public should compensate each individual holder for the deficiency of the coin—I tell you the effect of your delay and liberality will be, that every clipper would immediately apply himself to clipping the gold coin; and the present extent to which clipping and debasement has gone will afford no test at all of the depreciation that may follow. The moment it is known that—refusing to act with rashness and precipitancy, but permitting it to creep out in authorized paragraphs in newspapers, or by taking steps with regard to the receivers of the revenue which would apprise the public that the Government were about to adopt measures on the subject—the moment it is known that, not content with sustaining the loss of the variance between the amount of the gold when issued and the amount at which it can now be taken by law, you will sanction some other estimate of loss which the possessor of light coin may hereafter prefer—if you act upon that principle, do not suppose that it is the poor man who happens to hold gold coin depreciated by wear who will chiefly reap the advantage, for there is not one who fraudently debases the coin who will not claim the advantage in an infinitely greater degree than the poor casual possessor. I hope this House has a higher regard for the interests of economy than to sanction such a profligate loss which such a course of proceeding must necessarily involve. I trust I have now proved that the great bankers of this metropolis were fully sensible of this evil, and that the Government did not lightly and capriciously act in taking some effectual remedy. I trust I have also satisfied the House that it would be the reverse of prudence for the Treasury to undertake to

bear the loss which individuals might sustain. And I hope I have also, with my right hon. Friend, proved that there was no medium between a sudden and straightforward proclamation announcing the intention of the Government, and resorting to an indirect mode of intimating it, which must always give one class of individuals an unfair advantage over others. With respect to the proceeding of the hon. and learned Gentleman, although I did not consider it right—involving, as it did, an attack on the Government—to avail myself of any technical grounds to prevent its being brought forward, I must own I think the hon. and learned Gentleman has set an example which will be most inconvenient if lightly followed. I make no complaint in the individual case; the importance of the question, and the extent of loss sustained by individuals, may have justified him; but when he mentioned that the Government had appropriated to itself so many days, I must say I have exercised that privilege, when pressed by hon. Gentlemen opposite who had motions to bring forward, in a manner which hardly justifies his remark: and I can only say, if this practice of introducing a motion, making a speech, and leading to a debate, on the ground that an order of the day which he supports ought not to be read—if this practice be followed, it will supersede all our regulations, and very serious inconvenience to the public business must inevitably result.

Mr. Buller was duly sensible of the indulgence of the House in allowing him to have made his statement; and he quite agreed with the right hon. Gentleman, that nobody else should be allowed to do what he had done. He had never contemplated a private intimation such as that supposed by the right hon. Gentleman. Indeed, he hardly knew how the right hon. Gentleman drew this inference from his speech; for though he complained of the want of information as to the expense in 1774 and 1816, he never pretended that the announcement as to the coinage was not of a public nature. He had suggested two plans; first, that if the agency of the Bank were employed, the compensation for the deficiency should be limited to  $1\frac{1}{2}$  per cent.; but supposing that they should not determine on that course, ample means existed for providing an exchange according to real value.

Mr. Hume said, that this change should have been so effected as to fall as lightly as possible on individuals. At present the chief sufferers were the middle and working classes. Government ought to have sent into every town in England (as to Scotland and Ireland the step was unnecessary, as paper was the general medium) a public officer for the purpose of exchanging sovereigns under-weight at a certain charge. 6d., 8d., 9d., and 1s., were now paid indifferently. An hon. Member near him had a friend who at a railway was obliged to give a shilling for change of a sovereign before he was allowed to proceed to town. He heard, on good authority, that a gentleman wished to get 500*l.* in silver from a bank in the city, which, on application to the Bank of England was refused. Such was the effect of this question, as to the value of gold. The right hon. Gentleman's fears as to a further depreciation of the gold currency proved too much, for it showed that a gold currency was not the most desirable. There was one inconvenience, which was deposed to before the Bank committee of which he was a member, which ought to be looked to, and that was, that though a certain number of sovereigns were in the gross the legal weight, eight or nine of them were a grain too much or too little. He did not see why the Bank should not have a compensation for the loss which was sustained on gold out of the issue of paper, on which it had a profit. So far from complaining of the proclamation, he thought there ought to be a proclamation once a year. This would keep our monetary system in proper order—an advantage to every man, high or low.

Subject at an end.

POOR LAW.] Order of the Day that the House go into committee upon the Poor-law Amendment Act read.

On the question that the Speaker do now leave the chair,

Colonel Sibthorp rose to oppose the motion. When the right hon. Baronet (Sir J. Graham) had made his proposition to the Legislature that the commission should be continued for five years, he confessed he had been surprised, and had thought that it would have been more candid and more manly in the right hon. Baronet to have at once announced that it was his intention the commission and

the bill should be continued indefinitely, and rendered perpetual. There was no room now to mistake the right hon. Baronet's intentions, and he could not avoid expressing his strong objections to this insidious mode of attempting to render the commission a constant burden on the country. There had been two reports of the expenses incidental to this commission laid on the Table, one in 1840 and 1841, another in 1841 and 1842. Still the House was in considerable doubt as to the actual expense of the central commission at Somerset House, which he deprecated as arbitrary, despotic, and wholly useless. The total expense of the new system had, with little variation, gone on continually increasing, notwithstanding the pledges given to the contrary at the first introduction of this highly objectionable plan of providing for the wants of the poor. In the year 1834 the total expense was 628*l.* only; in 1835, it suddenly rose to 25,832*l.*; in 1836, to 39,340*l.*; in 1837, to 53,176*l.*; in 1838, it fell to 51,521*l.*; in 1839, to 47,712*l.*; in 1840, it was reduced to 41,834*l.*; and it might be fair in argument to assume that if the two last years' expenses did not exceed that of 1841, the lowest of the later years, the whole affair had created an expense to the country of 641,396*l.* The commission was not now necessary in order to instruct the guardians and lay down rules for their conduct. The rules and orders had been sufficiently numerous to apply to all cases. When the new exercise and field manoeuvres had been introduced in the army, an establishment was formed for teaching soldiers in London; and certain officers and soldiers were sent up to be instructed and drilled, who, when perfectly acquainted with the system, returned to their quarters, and taught the several regiments and detachments of the whole army throughout the kingdom. But as soon as their business was concluded the central establishment was broken up, and the whole expense saved to the nation. So it should be with respect to these central and other commissioners, who had already cost the country enough, and whose services could well be spared. As he saw it was clearly the intention of Government to entail the system upon this already-burdened country for an indefinite period, he should, to give effect, as far as lay in his power, to the general expression of dissatisfaction throughout the country, oppose their going



into committee upon the bill, and move, as an amendment, that the Speaker leave the Chair, and the House resolve itself into committee upon the bill that day three months.

Mr. Wakley seconded the motion. His dislike to the Poor-law Amendment Bill had increased with its age. The more he saw of it the more inveterate was his hatred to this cruel and inhuman system. Nor were his original objections to it decreased by finding that the offspring of the Whigs had been taken up and fostered by the Tory party upon coming into power. This singular but notorious fact had a tendency to throw discredit upon the conduct and actions of Governments generally, as well as upon their assurances. The Whigs had rendered themselves sufficiently execrable in the eyes of the nation by its introduction, to have warned their successors against its adoption. The hon. and gallant Colonel had made special and individual reference to the right hon. Baronet the Secretary for the Home Department. He knew the gallant Colonel was sincere in his opposition to this bill; but he must not consider that he could make a scape-goat of the right hon. Baronet—that right hon. Gentleman exhibited no inconsistency in his advocacy of the bill; the hon. and gallant Colonel, therefore, must not speak of the measure as the bill of the right hon. Baronet, when it was, in fact, the measure of the great Tory party—of that party which, when out of power, was almost unanimously loud and vociferous in its condemnation of the bill. Now there were exceptions certainly, the right hon. Baronet at the head of the Government was an exception. That right hon. Gentleman had always been the consistent advocate of the Poor-law Act. There was then no inconsistency about that right hon. Baronet, and the same remark applied, in a still stronger degree, to the right hon. Gentleman the Secretary for the Home Department, who had been a member of the Government of Lord Grey, with whom the act originated. That right hon. Baronet was one of the parties by whom the original bill was brought forward and defended, and he had always been its consistent advocate, and he now introduced the measure as a Member of the present Government. The bill was now, in fact, the measure of the Tory party and of the Tory Government, and it was *most unfair to single out the right hon.*

Baronet (Sir James Graham) as the only author of the bill, and as its only foster father in that House. But how would that Tory party, who had been so loud in their denunciations of the existing Poor-law when in opposition, stand with the people of the country—when they were now found to be the advocates of a measure equally obnoxious and detestable, and equally destructive of all the principles of self-government in the country, in reference to the administration of a Poor-law, as that which had been the subject of their condemnation? He entertained the same objections to the principle of this Poor-law as he had ever done; and his animosity was in no degree abated because it was brought forward by the Tory party. The question now before the House was as to whether the Speaker should leave the Chair; but the hon. and gallant Colonel had raised an incidental discussion upon that motion. He did not complain of that, for he was one of those who thought it most desirable that every possible obstacle should be thrown in the way of the progress of the bill, and of the discussion of its detail; and he went so far as to hold, that those who were like him decidedly hostile to its principles and were cognisant of its highly objectionable and unconstitutional nature, should undergo some perils and incur some responsibility before they permitted it to go further. He regretted much the vote to which the House came on Friday last! and he was sorry that he had not been able to remain in the House to state his opinions and record his vote against the second reading of the bill. He believed that this Poor-law was sowing the seeds of revolution in this country; and that a measure fraught with greater danger to the institutions of the country had never been devised or discussed. They were passing in this measure a coercive bill against all the labouring poor of England—and in his mind there was something truly startling and alarming in the vote by which the House had confirmed the second reading. There was something in that vote which he, for one, could not comprehend, and by which they had decided by a majority of five to one, or nearly so, in favour of the bill. The electors at least knew it to be a most tyrannical, unconstitutional, and in every way a most detestable measure—still he found that they had returned to that House men who supported it in all its

tyranny. There was in this something to him quite incomprehensible—something which he confessed he could not understand. How was it? Was there such a thing as a secret compact and alliance entered into between the voter and the representative against the poor? Was it the understanding that the poor should be oppressed as a matter of economy, and to save the pockets of the middle classes who were the voters? He could not but feel that there must be at least something like an implied compact of this nature, or else how could he account for the votes given in that House by those who should represent the opinions and feelings of their constituents? Hon. Gentlemen must think that they were serving the interest of the voters at the expense of the poorer classes, or they would not vote as they had done in reference to a measure of this character. The result of such a course, at the present moment especially, could not but be dangerous to the peace of the country. Were they prepared, in the present state of the country—the people starving from one end of it to the other—to say that the poor man should be coerced because he was poor? Was that the announcement they made to the poor of this country? And if so, had they considered what would be the effect of such an announcement at this time, when the distress was almost unequalled, extending to every district and to every class of labourers? He asserted that this measure was an outrage upon the public feeling of the country. They had created under this law a new institution and a new power unknown to the constitution of this country. They had given a power to the commissioners sitting at Somerset House which Parliament did not possess. And for what purpose? Not to protect the poor, but to coerce them and to grind them down to the dust. Now what was the invariable conduct of those Poor-law commissioners whenever a charge was made against any board of guardians or any of their officers? Did they protect the poor? No, their whole machinery was put in motion to protect their inculpated officer. Seeing, then, how the Poor-law commissioners have acted, I, for one, the hon. Member proceeded, am not for continuing them one day. My conviction is, they ought not to be continued one hour. Their powers determine on the 31st of July; and if I could I would prolong the

discussion on this measure until after that day. If I could devise any plan or had physical strength to do it, nothing should deter me from pressing division after division until after the 31st of July, in order to get rid of that abominable institution. I speak not of the persons who compose that commission. I make no attack against them as men; I speak only of the institution itself, and to that I give my most determined and decided condemnation. We have statements from every part of the country as to the working of the Poor-law commission; but what have we of a satisfactory nature! Have you petitioners praying that the commission may be continued? and if you have, what are the allegations in the petition in support of the prayer? I have seen no such petition this Session; but I hear on all hands that there is no necessity for the continuance of the commission if you would enact a good Poor-law. That I assert. Now, if you can legislate for your own property, for your own private and individual interests, for all the great powers in this country, and all the interests of the people, why cannot you legislate for the poor, and why put the poor in commission? You put the poor without the pale of the law, for you are giving them up to be tortured at the leisure of the paid commission of Somerset-house. Yes, I say tortured; because the object of some was to hold out the workhouse as an instrument of torture to prevent them from applying for relief. There might be a benevolent object behind; for I heard it repeatedly stated in this House that the first object of the law was to raise the wages of the working man. But has your law done it? Has it not in that respect totally failed? A poor hungry man would not have a long time for considering: his children crying for food—his wife in a state of destitution. He must take one of the two. He must choose between low wages or go to gaol. But then the commissioners inform us they have a discretionary power, and that they can regulate their orders to suit the locality, and the right hon. Baronet, the Secretary for the Home Department, the other night discovered that that was the thing they were called upon to do. Why, I always understood you had a central commission to have an uniformity of system of practice? But "No," said the right. hon. Baronet, "we have discovered that it is better to have a diversity of prac-

tice, and that commissioners should issue their orders according to the unions in which their labours are to be employed." It was said that the primary object of the law was to raise wages, and to throw the burden on the rate-payers if they did not give good wages. What had the commissioners done on that subject? We find the dietary lowered when wages are low and raised when wages are high. Now, if the Poor-law commissioners had known their duty to their country—if they had been competent to discharge the great duties laid upon them, they would have adopted a directly contrary rule—they would have caused a liberal diet to be given when the people were starved on a low diet by low wages, and the contrary when wages were high, and men ought to be provident. In the city of London, where the wages vary from 8s. to 40s. a-week, what has been the dietary? I will begin with bread, and I will take Cirencester as the type of a rural union:—

In London	bread	..	112 oz.
Cirencester	bread	..	98 oz.
London	beef or mutton	..	21 oz.
Cirencester	bacon	..	5 oz.
London	vegetables	..	2½ lbs.
Cirencester	potatoes	..	6 lbs.
London	soup	..	4 pints
Cirencester	soup	..	2 pints
London	cheese	..	14 oz.
Cirencester	cheese	..	7 oz.
London	milk porridge	..	10½ pints
Cirencester	gruel	..	7 pints
London	suet pudding	..	16 oz.
Cirencester	none, and no equivalent	..	
London	beer	..	11 pints
Cirencester	none, and no equivalent	..	

Tea, sugar, butter, and various other articles, allowed in London—in the country unions nothing of the kind. Now, do you consider that that commission has discharged its duty to the public, and the obligation imposed on it by this House, in causing such a variation as that? But what do the commissioners themselves say? Now, remark what I have to say with reference to their dietaries. What do the commissioners allege in their last report? They say—

"The administration of the Poor-law, as it existed immediately before the passing of the Poor-law Amendment Act, was characterized by its causeless diversity; different systems of management were often followed in parishes whose circumstances were perfectly similar, and which were even in the same neighbourhood. It was mainly for the purpose of *extinguishing these causeless diversities* that the

administration of the Poor-laws was placed by Parliament under the control of a central authority."

To be sure—to establish uniformity. Uniformity with regard to diet—twenty-one ounces of meat in one place and five in another! And observe the extremely low dietary system for starvation pursued in that union in the neighbourhood of which wages were so low that a man could hardly subsist on them. Is that the way to raise wages? I ask the right hon. Baronet the Secretary for the Home Department if he can vindicate this? I ask the House if they can say one word in favour of this? And where does this come from? From the commission at Somerset House—that commission which you are now proceeding to renew for five or six years—in fact with the view of its becoming perpetual: for that is the object the Government have in view. I believe that will not be denied. I believe that the right hon. Baronet will not deny that that is the object of the Government. But then the report goes on to say—

"But while Parliament placed the control of the Poor-laws in a central authority for the purpose of preventing diversities of management where circumstances are similar, it gave to that central authority a discretionary power which enabled it to establish a diversity of management where the circumstances are different."

Why, we admit the difference of circumstances; but is their continuation of it a sound one? Is that the policy which this House is prepared to pursue with reference to the Poor-law? Are you prepared to say to the guardians, "Take care you don't make the dietary in the workhouse better than it is in the cottage." So that if the people are starving in one place, you are determined they shall starve in the other. Is that the system the Government of this country is prepared to pursue? But if not, it is what the commissioners are doing. I charge them with it. I have here their documents, records, and reports, and I say nothing can be more clear to the mind of any man to whom it is submitted. Is that, then, I ask, what you are prepared to do? If not, why renew the powers of that act after they have so abused it? Why give them powers so opposed to the principles of justice? A low diet when there are low wages! Good God! was ever anything more monstrous? Was ever anything so absurd? We are told some-

times by the advocates of this measure, that the great primary object, the political object of it, was to raise wages, and make the labourer of England an independent man. Rare independence this ! The independence of seven pints of gruel, and five ounces of animal food where wages are low, and where they are three times as high, three times as much ! But what is the allegation of the commissioners ? I am now reading what is the whole pith and marrow of the question with respect to their appointment.

“If a uniform system of Poor-law management were applicable to the entire country, or if the exceptions which must be made to that uniform system could be laid down with precision, there would be no need of a discretionary power in any subordinate authority,”—

calling their own authority in this respect subordinate. Then, are we so ignorant, so utterly incapable of legislating for the poor of this country, that after the years and centuries of experience that we have had, we are not able to lay down some provision that should meet any variations that may occur in the administration of the Poor-law ? Why, then, give up your functions at once. Let us acknowledge ourselves as imbecile, not capable to legislate for the English community. That is our object, and if we cannot do it, we ought to resign our seats in this assembly, and declare that we are utterly incompetent to legislate for those who sent us here. Having made that declaration to which I have alluded, the commissioners go on to say, that they do everything that is right in particular cases ; so that in Somerset-house you are to have a body to suit their rules in conformity with the checkered and varied occurrences that arise in different localities ; but persons living in those districts, knowing the poor, their merits and demerits, and competent to go into every question as to the Poor-law, are not allowed to exercise any discretionary power. That power is to be exercised alone by agents of the Government. I say, that there is something so utterly repugnant to common sense in this, that every one ought to rise at once against such tyrannical abuses. I do hope the House will return to its sense of duty with reference to the poor. I implore it to take into its consideration the language that has been addressed to it on this subject. But I am afraid it will be deaf to

every voice that can be raised from one extremity of the kingdom to another. The poor are not so insensible to what is going on. They know the object of your law : they know that the object of it is to save the money of the rate-payer. Does any body deny it ? You have raised a court of appeal in Somerset-house, where the poor man cannot go. You have raised a court of appeal for the board of guardians, but where is your court of appeal for the poor man ? If the guardians refuse relief, to whom can he apply ? The magistrates can give him none. Much as I condemned the conduct of the magistrates under the old law, I say, that the rate-payers were much better off then than they are now. In the first place, the poor man complains to the relieving officer, miles and miles distant from the board of guardians ; then he is told, that he can have no relief, but he can go and see the board ; he does see the board, and the representative of his parish says, “ I believe it to be a deserving case, and I must vote for it ; ” and so he does, well knowing all the time that the majority will vote against him. Why is not the matter left really to the discretion of the guardians ? I ask again, where is your appeal for the poor man ? When any Member of the Government condescends to speak, I hope he will tell me where this appeal is ? I ask it decidedly and distinctly. The guardians have their court of appeal. Where are the poor to go ? The whole question is determined—by whom ? By the rate-payers ? No. There is not a single person to whom a poor pauper can apply for justice and redress. And this is the law, forsooth, which you substitute for the act of Elizabeth. This very law you Conservative Gentlemen condemned upon the hustings throughout England. Now you have your party in power, and among them a Whig Minister, who, with the concurrence and support of his Colleagues, brings forward a bill maintaining, upholding, and extending the principles which you professed to oppose. Do you expect that supporting this measure you will preserve your popularity with the people ? Do you hope to have their greetings when next you meet them ? I should like to hear those greetings. I do not think they will be at all musical to your ears. And they ought not to be. In consequence of bringing forward this New Poor-law, the Whigs became detested by the people, and justly so. They were deposed be-

cause the moment they came into power they kicked away the ladder that had raised them. The masses of the people they immediately oppressed and injured. And now you are going to imitate their example. ["No, no."] Yes! You were glad enough to take advantage of their iniquities to get yourselves into place; you will not keep it long. Before this day twelve months, in consequence of what has happened in this House, there will be addresses from all parts of England, from all who have common sense or feeling, praying for the dissolution of the present Parliament. In the unions which the commissioners have formed, various are the complaints, numerous the allegations, as to the defective working of the system; and I ask the right hon. Baronet, the Secretary for the Home Department, and his Colleagues, whether there are any provisions in this bill to meet the objections that have been started in so many quarters? The other night the right hon. Baronet alluded in very benevolent terms to the large extent of many of the unions, and to his proposal of local boards—of district commissioners. Why, what are their functions to be? It is a mere mockery. The right hon. Baronet may not have meant it so; but so it is. The functions of this boasted board are to consist in transmitting reports to the guardians, who are to send them to the commissioners; and what in the interval are the poor to do? Why, to starve! Why did not the right hon. Baronet propose that the guardians should have the power of dissolving the unions which were too extensive, and of dividing them into more convenient and more manageable districts? Is there any such clause in this bill? No. Nay, there is no such power given even to the commissioners. Notwithstanding that the right hon. Baronet knows well all that passed in the committee—although he knows the tortures which the poor have undergone from the Poor-law administration—he has made no suggestion as to vesting even in the commissioners the power of dividing unions, however unmanageable in size. Yet it is notorious that many of the existing unions are twelve, fourteen, sixteen, eighteen, twenty—nay, positively upwards of twenty miles in extent! If the right hon. Baronet be really desirous of mitigating the asperities of the law, why not give those powers which *might be usefully and beneficially exercised.*

[The hon. Member quoted, at some length, petitions from Almondbury and Deptford, complaining of the disadvantages of large unions; and then continued.]

Again, there is a similar petition from Kensington—from that enormous union, in which nothing but dissatisfaction has occurred since the establishment of it—a union, including Chelsea, Fulham, Hammersmith, nay, positively, Paddington. I suppose to give the poor paupers the pleasure of a stroll across the parks and the gardens. The commissioners have had, indeed, a great deal of correspondence with the guardians on the subject; they have been in a pretty deal of hot water together. No wonder. Chelsea, a vast district of itself, with some 40,000 inhabitants, was included in the union, and Chelsea was accordingly disquieted thereat, and in consequence of application made to the House, a new act was passed, enabling that parish to separate itself from the union, which it accordingly did; and now Kensington wishes to belong no longer to the union. But their high mightinesses the commissioners will not entertain the question; and I believe they would not permit Parliament to entertain it—at least, I am sure, that if they were to forbid our entertaining it, we should obey them. [The hon. Member quoted a petition from Kensington, complaining of the size of the union.] Now, we talk in this House a good deal of our desire to protect the liberties of the people, and of our regard for popular rights; and when the late Ministers, or at least their predecessors, the Ministry of Earl Grey, were in office, we were given to imagine, that never more was such a thing to be heard of in this country as the invasion of popular rights. But one of the very first things they did was, to deprive the ratepayers of the opportunity of applying their own funds to the relief of their own poor. ["Hear, hear."] Why, of course, the very name of reform became disgusting in the ears of the people. ["Hear, hear."] To be sure it did. It was not what they expected. They were completely deceived. They had been led to anticipate totally different results. Small blame to the people for that. They had a right to believe that the party which had made such strong declarations as to love of liberty and desire to protect popular rights,—were not wholly disintituled to credit. The people were certainly justified in

trusting them, though they were soon cruelly deserted, deceived, and betrayed. But having been once betrayed, the people showed their sense by trusting them no more. I am afraid they have not shown equally good sense in trusting some other parties. It is to be hoped, however, that by-and-by they will try some others. Now, I wish to hear distinctly the ground on which the continuation of this commission is rested. I am anxious to have a decided, plain, unequivocal answer on that point. First, we were told that it was uniformity of practice that was desirable. Secondly, we were told that it was diversity of practice. Now, which of the two are we to believe in or to hope for? Which are we to have in the future? You have actually given power to the commissioners of repealing at their pleasure acts of Parliament. Good God! can anything be more monstrous than to give to these men the power of suspending acts of Parliament? Were a salutary discretion to be exercised by the guardians, and a salutary control over them by the ratepayers, the poor would have some chance of justice. It is a serious thing, and worthy of observation, that whenever juries sat upon the bodies of persons who have died from (imputed) neglect, these high and mighty potentates send down subsequently their own agents, put into action their own little engines of "inquiry," in order, if possible, to falsify the verdicts of juries, and to cast imputations on the character of men who have faithfully discharged their duty according to the obligation of their oaths, and by way of recompense are insulted with virtual insinuations of perjury from men whom they pay. And here I must say, that though I have no complaint at all to make against Sir Edmund Head, believing him to be a most estimable gentleman, I yet regret, that considering what was said as to medical relief, the inquiry that was instituted, the allegations that were made, the abuses that were proved, the gross defects known to exist—I do regret, that considering the great estimation in which Dr. Kay is held by the Government—I regret that he was not appointed to fill up the vacancy which Sir Edmund was selected to supply: it was the prayer of the profession (who have the highest opinion of Dr. Kay); and it would have really resulted most materially in benefit to the poor. Now, the right hon. Baronet knows

very well the whole extent of the inquiry into medical relief. But what find we in the bill on the question? The committee recommended a diminution in the size of the unions. Is there anything in the bill on that subject? Not a word! Further, as to medical relief itself, let us see what sport can be made of acts of Parliament. There are some new orders to come into operation in March, containing of course some new points of improvement; the only wonder is how dull the commissioners must have been to have required such a hammering at them, in order to make them appreciate the absurdity of the previous regulations; but let us remark the principle they here adopt—a perfectly novel, a somewhat startling one—one which I never heard of in any business, trade, or profession, and of which I doubt very much the wisdom or the propriety. It is well known that medical attendants have been much underpaid; at the rate in some cases of 1d. or of 2d., in others, at 3d. or 6d., in a few instances as high as 1s. 3d. per case! Everybody knows that under such a system the poor must grievously suffer. The commissioners have certainly abolished the contract system—that most objectionable, reprehensible, obnoxious system which Sir A. Cooper before our committee so signally denounced. But I will read one or two of the new regulations, and leave the House to judge how far they ought to be adopted. Let hon. Gentlemen judge how far they would like their dogs or horses to be under such a system. The House will hear how cases are dealt with of the utmost delicacy and of the greatest danger:—

RATES OF PAYMENT IN SURGICAL AND MIDWIFERY CASES.

" Art. 10. No salary of any district medical officer, or contract made by any board of guardians with a district medical officer, shall include the remuneration for the operations and services of the following classes performed by such medical officer in that capacity for any out-door pauper, but such operations and service shall be paid for by the board of guardians, according to the rules specified in this article:—

	£.	s.	d.
1. Amputation of leg, arm, foot, or hand .. .. .	5	0	0
2. The operation for strangulated hernia .. .. .	5	0	0
3. The operation of trephining for fractured skull .. .. .	5	0	0
4. Treatment of compound fractures of the thigh .. .. .	5	0	0

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|---|---|---|---|
| 5. Treatment of compound fractures or compound dislocations of the leg .. ..      | 5 | 0 | 0 |
| 6. Treatment of simple fractures or simple dislocations of the thigh or leg .. .. | 3 | 0 | 0 |
| 7. Treatment of dislocations or fractures of the arm .. ..                        | 1 | 0 | 0 |

"The above rates to include the payment for the supply of all kinds of apparatus and splints.

"Provided that in every such case the patient survives the operation not less than thirty-six hours, and that he has required and has received several attendances after the operation by the medical officer who has performed the same.

"Provided also, that except in cases of sudden accident immediately threatening life, no medical officer shall be entitled to receive such remuneration for any amputation or for the operation of trephining, unless he shall before performing such amputation or operation have obtained at his own cost the advice of some member of the Royal College of Surgeons of London, or some fellow or licentiate of the Royal College of Physicians of London, and shall produce to the board of guardians a certificate from such member of the Royal College of Surgeons, or such fellows or licentiate, stating that in his opinion it was right and proper that such amputation or operation should be then performed."

The House would observe, that these regulations contained a provision to the effect that the remuneration should not be payable to the medical officer if the patient did not survive the operation for a period of at least six and thirty hours. Now, if the injury were severe, and that the chances were against the patient's living, the medical officer might possibly come to the conclusion that the operation had better not be performed; for if the patient underwent the operation and lived for a period short of the thirty-six hours, his trouble would all have been incurred for nothing. Hon. Members might think all this extraordinary, but he would ask, was he not discharging his duty in calling the attention of the House to the probable effects of these regulations? Was he not discharging his duty in exposing the tendency of these rules, when the House was called upon to pass a bill for renewing the commission? One of the provisos, to which he should again call attention, appeared to him to involve a monstrous, a most cruel, and most wretched principle. It was in these words:—

"Provided also, that except in cases of sudden accident immediately threatening life, no

medical officer shall be entitled to receive such remuneration for any amputation, or for the operation of trephining, unless he shall, before performing such amputation or operation, have obtained, at his own cost, the advice of some member of the Royal College of Surgeons of London, or some fellow or licentiate of the Royal College of Physicians of London, and shall produce to the board of guardians a certificate from such member of the Royal College of Surgeons, or such fellow or licentiate, stating that in his opinion it was right and proper that such amputation or operation should be performed."

This he read from the last medical order issued by the commissioners. With respect to the amount of remuneration to the medical officers, it was admitted that that remuneration was insufficient, and he believed no one would contend that the public could expect to have the duties of medical practitioners well performed if they were inadequately rewarded. But now he came to the distinctions sought to be established between the several classes of cases. Why specify payments as to obvious and evident ailments, of which people in general could observe the symptoms, the progress, and the development, and be not altogether ignorant of the usual modes of treatment? Why were the commissioners full and explicit on one, and why so remarkably silent on another class of ailments? why enlarge so freely on that which was palpable, and take no notice of those diseases the attendance on which made so large a demand upon the time and the skill of the medical man? He really felt almost afraid to describe in the terms which he ought the tendencies of these regulations. Let the House only reflect for a moment on the number of chronic diseases to which the poor man was subject—diseases of the lungs and of the intestines; those were diseases which required twenty times more time, care, and skill, than any class of ailments which the commissioners so carefully specified. Those of which the public see nothing and understand nothing were swamped. Cases on which neglect or want of skill might produce the most serious effects were not made the subject of any special provisions, the commissioners confining themselves to fractures, wounds, and dislocations. To him it appeared that the people on the spot were the only persons who had any means of forming a judgment as to the manner in which medical officers discharged their duties; and for that reason

he should say, that the matter ought to be left, as much as possible, in the hands of the boards of guardians, rather than be confided to the hands of the commissioners sitting at Somerset-house. He should not be afraid to trust the rate-payers with the management of that which so nearly concerned them. When the bill then before the House passed into a law, those who were concerned in passing it could no longer speak of the respect which they entertained for the people—a respect which they practically denied on every occasion. If they could confide in the common feelings of humanity, they might trust to the board of guardians; if not, they were bound to devise such legislative provisions as would meet the emergency; and if they were not able to devise those, they were unfit to hold their places in that House. If they could not frame such a law, they ought to renounce their functions at once. On these grounds he should support the amendment, in the earnest hope that the opposition which had been raised against the bill would have the effect of preventing the re-appointment of the commissioners.

Viscount *Courtenay* would give his cordial support to the measure, for he considered that the continuance of the commission was essential to the working of the Poor-law. It must be obvious to every Member of that House, that the main question before them was, whether the continuance of the commission was essential to the sound principles upon which the Poor-law rested. He should support this bill, because he thought its effect would be to put an end to the system of indiscriminate relief which existed under the old law; and he should also support it because he believed, that in the discharge of their difficult duties, the commissioners had exercised the power entrusted to them in a manner that demanded the public gratitude, and he must say, that in the whole of their conduct he saw evidence of anxious and successful exertions to improve the condition and character of the poor of this country. Every one must admit, that the present was a vast improvement on the gross abuses of the old system. Much had been said of the dietary system under the new law, but hon. Members seemed to lose sight of the fact, that the main object of the present measure was to promote industry, to superinduce provident habits, and not to hold out any temptations to

entering the workhouse—those were the objects in view, and those were objects which he was disposed to support; and he had that night heard nothing which could lead him to an opposite conclusion. The House must, of course, be quite aware, that the object was not to save the money of the rate-payers, but to restore that habitual independence which under the old system was passing rapidly away. An hon. Gentleman on the other side had said it was essential to the welfare of the poor, as well as due to the respectability of the medical profession, that medical officers should be adequately remunerated. In that he fully concurred, but he thought on the whole, that the House would agree with him when he said, that the existing system of medical relief was based upon sound principles, and though differing from several hon. Members in that House, and even from some of his own constituents, he still should give his cordial support to the measure.

Mr. *Lawson* admitted, that some of the abuses imputed to the old Poor-law were not without foundation. He thought it was the duty of all who, by property or otherwise, were connected with particular districts to reside within them, and to pay some attention to the administration of the Poor-law. When it was proposed to introduce the law in his part of the country, he protested against it, nor was he now prepared to vote for the harsher provisions of the bill, for he thought they could not fail to be productive of distress and dissatisfaction to the whole body of the community. With respect to the Poor-law commissioners, he was of the same opinion as a noble Lord, (Lord G. Somerset), who had declared, that the present unpopularity of the Poor-laws was mainly attributable to the manner in which they were carried into effect under the orders of the commissioners, who seemed to consider themselves infallible, and judge any who ventured to differ from them as arrogant and presumptuous.

Sir *R. Peel*: Sir, I regret that hon. Gentlemen have considered it to be their duty to renew, upon the present occasion, a discussion which more properly belongs to the second reading of a bill; but as that discussion has been commenced, I should be sorry that it should terminate without my having an opportunity of expressing very briefly my opinion upon this question. The hon. Member for Finsbury has stated, and I think very justly, that Gentlemen



ought not to throw the responsibility of this measure singly on that Minister by whom it was introduced, and there can be no doubt, that there has been a tendency upon the part of some hon. Gentlemen to make my right hon. Friend, the Secretary for the Home Department, peculiarly and personally responsible for this measure; but I say, that the responsibility does not singly and personally press upon him. This measure is the measure of her Majesty's Government—the measure of a Government concurring in opinion upon this subject, and believing that it is for the public interest—that it is for the permanent welfare of the industrious classes, and for the permanent welfare of the paupers of this country also—that this measure should remain in force; and, moreover, being of opinion, that there have not been any circumstances since the alteration of the law to show that it would be wise to dispense with the present Poor-law Act. My right hon. Friend was in office when this measure was proposed, but I was not in the Government then. I was opposed generally to that Government which introduced the measure, but I gave my support to its introduction from a deep sense of the gross evils which had been engendered by the old system of Poor-laws: and my opinion has been uniformly since that period the same—namely, that it is impossible to revert without danger to the old system. And when I heard the speech of the hon. Member for Finsbury, I thought that one might have easily inferred from it, that the New Poor-law had deprived the poor of some great advantages which they enjoyed under the old system; and that everything had been perfect under that system; that their situation was comfortable, that the superintendents over them were honest and vigilant, and that there were no abuses nor peculations. There are many Gentlemen in this House who have entered public life since the abuses of the old system were developed, who are apt to form their judgment of the alleged defects of the new system without being aware of the evils of the old one, and it is therefore absolutely necessary that they should be reminded of them. The argument of the hon. Member for Finsbury is this—that the poor were happy under the administration of the old law, and that you ought to place confidence in the people of England and in the rate-payers and the persons who are living in the various localities in which paupers are found,

and that you may safely entrust the care and management of the poor to them. That is his argument. Now, it is absolutely necessary that I should state to the House some facts with regard to the treatment of the poor under the old system. What is the argument of the hon. Member for Finsbury? That the superintending authority of the Poor-law commissioners is not necessary, because we may trust to the local authorities, and to parties resident upon the spots where paupers are found. That is his argument. Well, but the old Poor-law trusted, and it operated in small districts under the guidance of parties who were cognizant of the condition of the poor; and how did they act? First of all, I will give a general account of workhouses under the old law, as furnished, not by the present Poor-law commissioners, but by such men as the Bishop of Chester, the Bishop of London, and others. I quote from a report of the commission of inquiry into the general operation of the old system in respect of workhouses:—

“ Even the parishes which are somewhat more populous, those containing from 300 to 800 inhabitants, and which amount to 5,353, in the few cases in which they possessed an efficient management obtained at a disproportionate expense,—in such parishes, when overburdened with poor, we usually find the building called the workhouse occupied by 60 or 80 paupers, made up of a dozen or more neglected children (under the care, perhaps, of a pauper), about 20 or 30 able-bodied adult paupers of both sexes, and probably an equal number of aged and impotent persons, proper objects of relief. Amidst these the mothers of bastard children and prostitutes live without shame, and associate freely with the youth, who have also the examples and conversation of the frequent inmates of the county gaol, the poacher, the vagrant, the decayed beggar, and other characters of the worst description. To these may often be added a solitary blind person, one or two idiots, and not unfrequently are heard from among the rest the incessant ravings of some neglected lunatic. In such receptacles the sick poor are often immured.”

Is not this a true account of the condition of workhouses in numerous instances in rural parishes? But you will say that is a general description, and that you want details? Well, Mr. Osler, in his communication, gives the following instances of the condition of workhouses in the vicinity of Falmouth:—

“ Mabe-house, a ruinous hovel, utterly unfit for the residence of a human being; 2 men, 4 women, 3 children; of whom 4 receive 8s. 9d.

weekly, and a man, his wife, and 3 children, have only shelter. A married couple occupy the same room with 2 women. Mylor:—8 men, 17 women, 7 children, who are placed in the different rooms, supporting themselves either by an allowance of money from the parish, or by their own labour. A barber who carries on business in the house has his pole hung out at the door. No governor or domestic authority of any description. (In such places when questions of the following tenor are put) —‘Why is no labour found for the able-bodied? Why are not the children placed under proper tuition? Why is not proper care taken of the lufatic?’—(the usual answers are):—‘The parish is too poor to pay for a keeper. We cannot keep a schoolmaster for so few children. To provide a superintendent, to keep half a dozen or a dozen men at work, would be too heavy a charge, even if the superintendents of the whole of these various classes, and the management of the house is often found a pecuniary burden disproportionate heavy; and the parish officers attempt to diminish it by confiding the whole to one who is in reality, and sometimes avowedly, a pauper. Constantine-house:—10 men, 19 women, 2 children; the governor has been dismissed for the sake of economy, and an infirm old pauper regulates the diet and keeps the accounts. All the rooms except the kitchen, close, dirty and offensive; the beds are clumsy wooden ones; men’s dormitory, their sitting-room very low, with windows too small for ventilation, excessively dirty and an abominable musty smell. The fish dianers are cooked here; house appeared not to have been whitewashed from time immemorial. Two men slept in the women’s rooms; but the new overseer expressed an intention to correct these evils.”

Well, these were local authorities superintending and cognizant of the state of the poor, knowing their habits and wants. What was the result of that local superintendence? Why, that in thousands of parishes these abuses existed. But you will say that this was the case in various small parishes, but not in larger ones. What is the fact with regard to the metropolis—the seat of intelligence? In 1833, no distant period, what facts were stated with regard to the operation of the old system in London? It is very easy to pass a panegyric upon the old system, but not so easy to justify it by facts. Now let us take the case of a large metropolitan parish. Mr. W. Lee, who held the office of master of the workhouse of St. Pancras, containing more than 1,000 inmates, says,

“It is a common remark among our paupers that they live better in the house than they ever lived before; and, looking to the cleanliness, the airiness, and roominess of the apart-

ments, the goodness of the beds and the bedding, and the wholesomeness and quantity of the food, this is probably the case.”

This, you see, was a liberal system, maintained at the expense of many who were perhaps scarcely able to support themselves. But what was the effect of the system in a social point of view?

“There were 300 children; if we get them places, they throw them up or misconduct themselves, so as to lose them and return to the workhouse as a matter of course, because they prefer the security and certainty of that mode of life to the slightest exercise of forbearance or diligence.”

Here, then, were 300 children, supplied with means and opportunities to gain an honest livelihood, returning and throwing themselves upon the workhouse, in order that they may enjoy a life of indolence. But Mr. Lee continues—

“As little or no classification can take place, the younger soon acquire all the bad habits of the older, and become for the most part as vitiated. This is peculiarly the case with respect to young girls. We are obliged to have many prostitutes among our inmates; they decoy young girls with whom they have met in the house to leave it, and addict themselves to the same abandoned course.”

What course was to be pursued? The characters of several of the inmates were so bad that it was impossible to retain them in the house. The example which they set was so pernicious that the governors were obliged to get rid of them. And what was the result? They were sent to farmhouses. Mr. Hall, the overseer of St. Botolph, Aldgate, says:—

“We send our poor to farmhouses, paying 4s. 6d. per head per week for them; but it is the interest of the farmhouse keeper to give them so much liberty, on account of the consequent saving of provisions, that their residence is not one of restraint, nor their life one of hardship. It has been repeatedly said to me by paupers nominally confined in farmhouses that they got 2d. a day from the keepers of those houses to leave them for the day, by which means the keepers save their food for the day; and I have constantly seen persons, for whom I knew we were paying to farmhouses, wandering about the streets, sometimes in a state of intoxication, and often I have had them come to my house in such a state and insist with much violence upon getting further relief.”

You may call the statute of Elizabeth the charter of the poor if you like; you may say that it supports their claim as the

first lien upon the landed estates of this country, if you please; but all these doctrines, if practically enforced, will end in their degradation and ruin. I ask, is it possible to read these descriptions of the miserable condition of the poor in small districts, and of the condition of those who in many cases were contributors to the poor-rates, and who supported themselves by honest industry, but were too proud to derive any support from those rates, and not admit that in 1834 the time was come when an alteration was necessary? My opinion is, that if you now abolish this commission, or prevent the commissioners from exercising any control over the poor; and, above all, if you pass that enactment which the hon. Gentleman advises, namely—again to confine the relief of the poor to small localities and districts, you have no guarantee that all the abuses which prevailed previous to the year 1834 will not return. We do not propose that this measure shall continue for five years with a fixed intention to make it permanent. What motive can we have for proposing the continuance of this law, except an honest and conscientious belief that it will be for the public good? It is not a political object that we have in view, it is not a short-lived popularity that we seek; for if it were, would it not be easy to join the cry against the Poor-law, and propose some alterations of its main provisions? Would it not be possible, by some such course as that, to gain a temporary popularity? I say that the abuses of the old Poor-law were so great that the superintendence of the new authority ought to be continued. In my opinion it ought to be for five years, and I proposed that last year. I think it desirable, certainly, that the conduct of the commissioners should be subjected to Parliament; but I think that their authority ought not to be diminished or disparaged by making it shorter in duration than five years, for within that period it is not possible that we can dispense with the services of the Poor-law commissioners. I do not look upon the Poor-law commissioners as a check upon the benevolence of boards of guardians. I do not say that the commissioners should not act where there is a ground for appeal against a board of guardians. I do not say that theirs is not a proper tribunal to which to appeal. I believe that by means of this commission you conduct inquiries with regard to the poor most beneficially, and that without their aid many improvements could not be made

which through their aid may be made. What has been the case with regard to the sanitary provisions made by the commissioners? Through their intervention I believe many benevolent plans have been adopted; and my opinion is, that they are actuated by benevolent feelings, although I know that it is difficult to reform and correct old and inveterate abuses without subjecting oneself to the charge of harshness or cruelty. But that is the hard condition attendant upon exertions to remove abuses in favour of which people may be prejudiced. Men must be prepared to expect imputations as to their being rigid and severe, and not influenced by those charitable motives by which, perhaps, others, taking more local views, may be actuated. But through the aid of that commission, in my opinion, you may be able to conduct the most important inquiries, and to effect the most extensive and important improvements. The hon. Member for Finsbury has said that all the medical profession had wished for the appointment of Dr. Kay. But why should they? He gave the greatest praise to Dr. Kay; but he said the medical profession were not satisfied. No; but they would have been satisfied if they could have had a Poor-law commissioner to their own mind. In that case they would have been right glad to assent to the appointment of commissioners. [Mr. Wakley: I want no commissioner at all.] The hon. Gentleman now finds out the mistake he had made. He said that if a medical practitioner had been placed in the commission the appointment would have been hailed with satisfaction; and now, because a medical commissioner is not appointed, he is for no commissioner at all. One other abuse to which this commission will present an obstacle and a check is that upon which you will find ample evidence in this volume (the report of the Commissioners of Inquiry). I mean the gross system of jobbing which existed under the old system, when a parish was committed to the superintendence of five or six tradesmen. 40 per cent. was then considered but a moderate profit upon articles supplied to the parish for the poor under that system. And it is shown in this book that when independent officers were sent from a distance into a parish to manage its affairs, there was a regular combination among the retail dealers of the place to effect the overthrow of such officers. Upon the very first appearance of any attempt at

economy and saving of expense in the administration of the Poor-laws, a combination would be immediately formed against the officer who was independent enough to make the attempt, in order that he might be got rid of, and the old times restored of getting 40 or 50 per cent. upon articles supplied for the paupers. The evidence to that effect is quite conclusive; and if you choose again to commit the poor to the care of such persons, whose object it is to increase their profits in that way, upon the principle that the people of England may be safely trusted, you must also be prepared to see revived that practice of the local shopkeeper and dealer using his influence in the appointment of parochial officers suited to his purpose. Look again at the system of accounts. The existence of a superintending commission enforcing a rigid system of accounts operates as a security against profligate and corrupt expenditure. And I say again, with respect to medical superintendence, there is an increased security, as you will see more particularly if you compare the operation of the present law with the past, that the medical treatment of the poor will be conducted better under the general superintendence of a commission like that at Somerset House than if you leave it entirely to the local authorities. These are the grounds on which I support the bill; not merely as a check upon the benevolence of local guardians, but because I believe it will be for the present interest of paupers, and above all for the permanent improvement of their condition, do I think that this commission ought for a certain time to be continued; therefore I give my unhesitating, consistent, and cordial support to the bill of my right hon. Friend.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 219; Noes 48: Majority 171.

#### List of the AYES.

Acland, Sir T. D.	Baring, rt. hon. F. T.
Acland, T. D.	Barnard, E. G.
Adare, Visct.	Barneby, J.
Adderley, C. B.	Barrington, Visct.
Aldam, W.	Bentinck, Lord G.
Allix, J. P.	Beresford, Major
Antrobus, E.	Bernal, R.
Ashley, Lord	Bernard, Visct.
Bailey, J., jun.	Blackburne, J. I.
Baillie, Col.	Blake, M. J.
Baird, W.	Bodkin, W. H.
Bannerman, A.	Boldero, H. G.
Baring, hon. W. B.	Botfield, B.

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Broadley, H.	Heneage, G. H. W.
Brodie, W. B.	Heneage, E.
Browne, hon. W.	Hepburn, Sir T. B.
Buck, L. W.	Herbert, hon. S.
Busfield, W.	Hervey, Lord A.
Cardwell, E.	Hogg, J. W.
Cavendish, hon. G. H.	Houldsworth, T.
Chetwode, Sir J.	Holmes, hn. W. A'Ct.
Cholmondeley, hn. H.	Hope, hon. C.
Chute, W. L. W.	Howard, hon. J. K.
Clay, Sir W.	Howard, hon. H.
Clayton, R. R.	Howick, Visct.
Clerk, Sir G.	Hughes, W. B.
Clive, E. B.	Hume, J.
Clive, hon. R. H.	Hussey, T.
Cockburn, rt.hn. Sir G.	Hutt, W.
Connolly, Col.	James, W.
Courtenay, Lord	Jermyn, Earl
Cresswell, B.	Johnston, A.
Cripps, W.	Johnstone, Sir J.
Damer, hon. Col.	Johnstone, H.
Darby, G.	Jones, Capt.
Dawnay, hon. W. H.	Kemble, H.
Denison, J. E.	Knightley, Sir C.
Dickinson, F. H.	Labouchere, rt. hn. H.
Douglas, Sir H.	Langston, J. H.
Dugdale, W. S.	Lascelles, hon. W. S.
Duncan, G.	Layard, Capt.
Dundas, D.	Legh, G. C.
Eaton, R. J.	Leicester, Earl of
Ebrington, Visct.	Lemon, Sir C.
Egerton, W. T.	Lincoln, Earl of
Egerton, Sir P.	Lindsay, H. H.
Ellice, rt. hon. E.	Litton, E.
Ellis, W.	Lockhart, W.
Eliot, Lord	Long, W.
Escott, B.	Lopes, Sir R.
Estcourt, T. G. B.	Lowther, J. H.
Evans, W.	Macaulay, rt. hn. T. B.
Fellowes, E.	Mackenzie, W. F.
Fleming, J. W.	Maclean, D.
Flower, Sir J.	M'Geachy, F. A.
Forbes, W.	Mahon, Visct.
Forster, M.	Manners, Lord J.
Fuller, A. E.	Marshall, W.
Gaskell, J. Milnes	Marsham, Visct.
Gill, T.	Martin, J.
Gladstone, rt.hn. W. E.	Martin, C. W.
Gladstone, T.	Miles, P. W. S.
Glynne, Sir S. R.	Miles, W.
Godson, R.	Mitchell, T. A.
Gordon, hon. Capt.	Morris, D.
Gore, M.	Morrison, J.
Goring, C.	Mundy, E. M.
Goulburn, rt. hon. H.	Murray, A.
Graham, rt. hn. Sir J.	Neville, R.
Granby, Marquess of	Norreys, Sir D. J.
Granger, T. C.	Northland, Visct.
Greenaway, C.	O'Brien, J.
Greene, T.	O'Brien, W. S.
Grogan, E.	O'Connell, M. J.
Grosvenor, Lord R.	Ogle, S. C. H.
Hamilton, W. J.	Pakington, J. S.
Harcourt, G. G.	Palmer, R.
Hardinge, rt.hn. Sir H.	Parker, J.
Hawes, B.	Patten, J. W.

K

Peel, rt. hon. Sir R.	Sutton, hon. H. M.
Pendarves, E. W. W.	Tancred, H. W.
Philips, M.	Taylor, T. E.
Pigot, Sir R.	Thornhill, G.
Plumridge, Capt.	Tollemache, hon. F. J.
Pollock, Sir F.	Trevor, hon. G. R.
Pringle, A.	Trollope, Sir J.
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Rashleigh, W.	Turner, E.
Rice, E. R.	Turnor, C.
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Russell, Lord J.	Wall, C. B.
Russell, Lord E.	Wawn, J. T.
Sanderson, R.	Welby, G. E.
Sandon, Visct.	White, H.
Scott, R.	Whitmore, T. C.
Seymour, Lord	Wilde, Sir T.
Seymour, Sir H. B.	Wodehouse, E.
Shaw, rt. hon. F.	Wood, B.
Sheppard, T.	Wood, C.
Smith, J. A.	Wood, Col. T.
Smyth, Sir H.	Worsley, Lord
Sotherton, T. H. S.	Wrightson, W. B.
Stanley, Lord	Yorke, hon. E. T.
Stanton, W. H.	Young, J.
Stock, Mr. Serjt.	TELLERS.
Strutt, E.	Baring, H.
Sturt, H. C.	Fremantle, Sir T.

#### List of the NOES.

Ainsworth, P.	Hardy, J.
Archdall, Capt.	Harris, J. Q.
Baskerville, T. B. M.	Henley, J. W.
Beckett, W.	Hindley, C.
Bell, M.	Hodgson, R.
Bernal, Capt.	Hornby, J.
Bowring, Dr.	James, Sir W. C.
Brocklehurst, J.	Jervis, J.
Brotherton, J.	Johnson, Gen.
Cochrane, A.	Lawson, A.
Collins, W.	Lowther, hon. Col.
Colville, C. R.	Masterman, J.
Crawford, W. S.	Napier, Sir C.
Denison, E. B.	O'Connell, D.
Drax, J. S. W. S. E.	Pechell, Capt.
Duke, Sir J.	Polhill, F.
Duncombe, T.	Rapton, G. W. J.
Duncombe, hon. O.	Richard, R.
Etwall, R.	Walker, R.
Ferguson, Sir R. A.	Wilbraham, hon. R. B.
Feilden, W.	Williams, W.
Fielden, J.	York, H. R.
Ferrand, W. B.	TELLERS.
Grimsditch, T.	Sibthorp, Col.
Hall, Sir B.	Wakley, T.
Hanmer, Sir J.	

Main question again proposed that the Speaker do now leave the Chair.

Mr. *Ferrand* was not influenced by any factious motives in wishing to postpone the consideration of a measure of this important character for a few days. He felt as-

ured that he was only performing his duty to the public and to the constituent body which he had the honour of representing in that House, in rising to move that the debate be adjourned until that day week. He very much regretted that the right hon. Baronet the Secretary for the Home Department had not been able, in the reply which he had made to a speech which he had the honour of addressing to the House on Friday last, to adduce stronger grounds for supporting the second reading of the Poor-law Bill. The right hon. Baronet had based the whole of his arguments in favour of the measure on the ground that in an union in the north of England, the Keighley union, with which he was connected, there had been a gross maladministration of Poor-law relief. He challenged the right hon. Baronet to place his finger on a single instance in which the magistrates had deviated from the strict path of duty. Did he do so now? The right hon. Baronet had referred to a report made by an assistant Poor-law commissioner, Mr. Mott, a gentleman who was sent down to the north of England expressly for the purpose of getting up a case in favour of the bill and against the Keighley union. In that report charges of a very serious character had been made against himself, and an hon. relative of his sitting on the opposite side of the House. He alluded to the hon. Member for Bradford. Imputations had also been cast upon four magistrates acting in conjunction with himself and the hon. Member for Bradford in the Keighley union. He hoped that no difference of opinion on other questions connected with politics would ever deter him from coming forward in defence of his brother magistrates, when their characters were calumniated by unjust aspersions. He should be wanting in those generous feelings which influenced every English gentleman if he did not defend them from the foul slander cast upon them. What was the charge which Mr. assistant commissioner Mott made against himself and the other magistrates of the Keighley union? If hon. Members opposite asserted that no charge was made, let them read the speech of the right hon. Baronet, and the report to which he referred. What, he would again ask, was the charge? Mr. assistant commissioner Mott had accused the magistrates of the Keighley union of having been guilty of corrupt practices, for the purpose of raising themselves in the opinion of the working classes. With the

view of making themselves popular, they were charged with having fixed the amount of relief in the Keighley union at an extravagant scale. When the right hon. Baronet sat down, he rose and denied the accuracy of the statement. He was in his place this evening to say, that the whole of that report, from beginning to end, was a tissue of falsehoods. Under these circumstances had he not a right to demand the House of Commons to adjourn the debate on this measure until the magistrates and the board of guardians, who had been so foully maligned, had an opportunity of replying to that report, and refuting the calumnies it contained? He hoped that the report would be placed on the Table by to-morrow, in order that it might be sent down with a view of having a full investigation into the allegations which it contained. He held in his hand a letter from the clerk of the magistrates and board of guardians connected with the union in question, to which he wished to direct the attention of the House. The writer of the letter was a gentleman of great respectability, and the most implicit confidence might be placed in the statements which he made. He (the clerk to the magistrates) says,—

“ I have read with astonishment the reply of the right hon. Baronet the Secretary of State for the Home Department to your speech on the second reading of the Poor-law Bill, in the House of Commons, on Friday last.”

The *Speaker* said, that the hon. Member could not read a letter in which a reference was made to anything which had taken place during a debate in that House.

Mr. *Ferrand*: The substance of the letter was to deny the assertions made by Mr. Mott in his report. The greatest care had been exercised in the distribution of parochial relief in the Keighley union. Every case had been inquired into before relief was afforded. The clerk flatly denied the truth of the allegations made in Mr. Mott's report of the Keighley union. There was an emphatic denial made by the clerk of the magistrates of that union to the allegations of Mr. assistant-commissioner Mott; and he (Mr. Ferrand) would ask the House, whether it was prepared to sanction the appointment of these Poor-law commissioners, and to invest them with power and authority to act throughout the country, when he was prepared to prove that an assistant Poor-law commissioner, a paid officer of the Government,

had, for a special purpose, produced a report containing unfounded charges, with a view of misleading the House of Commons. He would ask whether, under these circumstances, he was not justified in asking for the delay of one week before proceeding with the bill, in order to give the magistrates and board of guardians connected with the Keighley union an opportunity of refuting the most gross report which had been made to the House? For the purpose of exposing the falsehoods contained in that report, he begged to move that the debate be adjourned until Monday week.

Mr. *Fielden* seconded the motion. He thought that the statement made by the hon. Member for Knaresborough was sufficient to justify the House in postponing the debate for the short period of a week. So strong was his hostility to the bill that he would take every opportunity of opposing its progress. If the bill was passed into a law, he would tell the House that they would have cause to regret the circumstance. There was not a parish in England which was not opposed to the Poor-law. The majority of the poor were also against it. He would assert that the Poor-law commissioners had never advanced the interests of the poor. He disbelieved the report altogether; and he further believed, that the object of it was an ardent desire to assimilate the wages of the labourer in the south to what they were in the north; and they had succeeded in doing so—still there was not a parish in the north but would take such measures as were in their power to obtain the entire repeal of the law. He had always voted for the total repeal of the bill—he was not one of the modifiers, of whom there were so many now in the House. He was afraid the right hon. Baronet would carry his proposition yet. Not one of his supporters, with the exception of the hon. Member for Droitwich (Mr. Pakington) and the noble Lord the Member for South Devon (Viscount Courtenay), had dared to get up in his place in support of the measure. There were Members in the House for Leeds, for the West Riding of Yorkshire, and from Lancashire—had they nothing to say for or against the bill? Nor would it be forgotten, that when the bill was introduced last year by the noble Lord the Member for London, a noble Lord opposite got up and presented a petition signed by 46,000 of the inhabitants of Manchester, praying that the New Poor-law might not continue

in force for another day. Where was the noble Lord now? Why, the people of Manchester were unanimous in their detestation of the bill—there was none there in favour of the law but probably a few rich people, with the clerks, the relieving officers, and other persons who obtained their living under it. None others supported it, for every humane and upright man condemned the bill. He was of opinion that the hon. Member for Knaresborough had made out a good case for the postponement of the debate for a week, and he trusted, for the honour of the House, the motion would be agreed to. He doubted whether the House ought, under present circumstances, to take upon itself a question of such magnitude at all. After the charges which had been made by the hon. Member for Bath, some of which were admitted, he doubted whether the House had any right to enter upon the consideration of the bill. The House should be very cautious under the circumstances in which their election was stated to have taken place; but even the speed with which they proposed to proceed was enough to condemn them; the bill was only read a second time on Wednesday last, and on Monday they proposed to go into committee: the country would see what was the necessity for such a hurry in the proceeding upon a bill so all important to the people. It had been reported by several committees who had been sworn at the Table to make a true report of what came before them, that many Members had been returned by means of corrupt practices: other charges had been made and scarcely denied; therefore, he thought they had no authority to legislate upon the measure at all—at least, it would be much better were they to take another year for its consideration, and to see whether the people had such confidence in them as to allow them to discuss the bill without remonstrance. They had already passed the Corn-law, making the food of the people dear; but now they seemed determined to have the Poor-law also for the benefit of the manufacturers. It was not much for him to say so now, but he could not give his confidence to any Administration which could propose a measure so unconstitutional. Many thousands of people had been sent from the south into the northern districts, where they were now dying from want. What was to be done with them? At least, before they proceeded with that bill, surely it was their duty to make some inquiry as to what had

become of them. As to the commission who had been sent down to make inquiries, he would only say, that although the work was degrading, they would get plenty of men to take it, when it was accompanied with the wages given to an assistant Poor-law commissioner. He was speaking of Dr. Kay, who was sent into the manufacturing districts for the purpose of making room there for thousands of the agricultural population; he assisted to take them to the districts which two or three years before he had condemned as the very hells of vice and sinks of iniquity. He had a perfect right to question and judge the acts of Dr. Kay now that he had become a public servant. [*Cries of "Divide, divide."*] They might well cry "Divide," and attempt to put him down, for he was speaking for those who were unrepresented in that House. He could assure hon. Gentlemen that he would continue to give all the opposition in his power to the bill in every one of its stages; if he could protract the discussions upon it till the 31st of July, he would do so. He had been saying that Dr. Kay had been sent into the north to make room for the surplus population of the southern counties. Dr. Kay suffered himself to be thus employed, and he recommended measures which tended to reduce the wages of the labouring classes. He had asked for the production of correspondence with reference to this matter, but it was refused. The Poor-law commissioners, however, afterwards published a garbled statement; and he now wished for the production of the correspondence to which he alluded, in order that the public might see whether those results had been produced which the commissioners intended to effect. The effect of the Poor-law was undoubtedly to lower the wages of the labouring classes. He never could forgive the framers of the measure for producing such an effect. He would ask hon. Members if they were not in a great measure indebted to the labouring classes for many of their enjoyments? Then, as to the question of the right of the poor to relief; either they had a right to it, or they had not. He would ask the right hon. Baronet if he had an absolute right to the property which he held? No man had an absolute right to property. The hon. Baronet the Member for Oxford frequently preached up the doctrine that property was subject to charges for the maintenance of the Church. He contended, also, that property was liable for the maintenance of the

poor, when they were incapacitated for labour, or unable to procure employment. They would not provide the poor man with labour, and yet they denied him the right to relief. Could any thing be more inhuman than such conduct? He believed the Poor-law Amendment Act was considered as a stepping-stone to the ultimate and entire abolition of the system of affording relief. He would tell the House, however, that they were on the verge of a volcano, and he warned them to take his advice. He believed that they could not adopt any course more calculated to excite disaffection, and ultimately to produce revolt in this country, than the passing of this bill in its present form. That was his sincere opinion. He knew there were many poor persons who would absolutely prefer to die of want, rather than ask relief of the board of guardians. They had the best people in the world to govern, and yet this country was worse governed than any other. He thought the reasons assigned by the right hon. Baronet for prolonging the term of the commission, rested on no just grounds, but he would not detain the House by alluding to them particularly. He was surprised that hon. Gentlemen opposite—the Conservatives—did not come boldly forward and tell the House what were the opinions of their constituents and of the poorer classes throughout the country with regard to the Poor-law. It was right that the House should have some information as to the sufferings of the poor. They were now asked to pass this bill, and to continue the Poor-law commissioners in office for five years longer, at a period when most extreme distress prevailed throughout the country to an unparalleled extent. He considered that this was a most dangerous experiment to make, and he was sure the right hon. Baronet at the head of her Majesty's Government had not given due consideration to this bill, or he would not have assented to it. He thought it would be well if the right hon. Baronet took the same time to consider the Poor-law which he had devoted to the consideration of the Corn-law and other measures. He believed, if that right hon. Baronet carefully investigated the question, he would not support the continuance in office of the commissioners for a day longer. They ought to give the poor man a court of appeal against the decisions of hard-hearted guardians, who would allow neither work nor food. Let hon. Members tell the same tale to the Ministers and to the House

which they had told on the hustings respecting this law; silence, under circumstances like the present, was unjustifiable. The subject ought to be fully discussed, and the House ought to adjourn for a week, to give the hon. Member for Knaresborough an opportunity of making the inquiries he wished. The Poor-law guardians had endeavoured in vain to find work for the poor. Could the Poor-law commissioners find it? If they could not find it, they must give the poor food without the labour. By the operation of the New Poor-law greater distress had been brought upon the manufacturing districts than many hon. Members were disposed to allow. He would tell them again, that they were on the verge of a volcano, and that they had better refrain from going on with this bill.

Mr. M. Philips felt called upon to say a few words to the House. The hon. Member for Knaresborough had alluded to counties, the feelings of the people of which he said he represented; but he could not allow the hon. Member to represent, or rather to misrepresent, him and his constituents. The hon. Member had referred to a petition, numerous signed, which had been presented to that House from Manchester, praying against the continuance of the Poor-law commission. He had met the deputation which had brought up that petition, and he must candidly confess, that he had gone away from that conference, believing that he was a better friend of the poor man than any of those who had brought up the deputation. The grounds of their objection to the New Poor-law were, that they thought the operation of the New Poor-law Bill was more expensive than the old system; that it was not desirable to have the workhouse test; and another grievance was, that the local Poor-law guardians had to consult the Poor-law commissioners. With regard to the latter objection, he should not go out of his way to please the vanity of individuals who thought their dignity lowered by having to consult with other parties relative to their duties. He pictured to himself a man elected a guardian in an agricultural district, and who might be called on to fulfil the duties of a guardian without any previous fitness for the office. So far from thinking it a degradation that he should have to consult with men of sense and humanity, as he had always found the Poor-law commissioners to be, he (Mr. M. Philips) should think he would find it a



great relief to confer with honourable and well informed men, and treat them as his standing counsel in the case. Anxious to discharge his duty to those whose property had to support the poor, as well as to the poor, he should think it would be a guardian's anxiety always to ask for advice with reference to the mode of administering relief. There had been much bold assertion on the part of the hon. Member. He had stated, that owing to the operation of that New Poor-law Bill, wages had been brought down in the manufacturing districts. He was fully alive to the present unfortunate position of the manufacturing population; but he could not ascribe it to the same causes as those stated by the hon. Member for Oldham. He saw various other causes for it, which he wished he could induce the House to alter. But he could not hear assertions of that kind made without rising in his place as the representative of a large body of the people suffering from the distress, and stating that he could not concur in them. He very much regretted, that an opportunity should be sought for now to excite the feelings of the poor, who were labouring under a degree of oppression and suffering with an endurance which he could not sufficiently admire. He was not one of those who wished to goad the poor on against this system, which was intended for their relief; he would rather ask hon. Gentlemen to endeavour to legislate for their welfare, and not represent to them that the present system was one intended to drive them into taking a coarser food. He denied that any such intention existed on the part of the Government that first introduced the bill. If he could have thought for one moment that such was the object of Lord Althorp, he should have started away from the benches on his side of the House, and deserted a party deserving of the contempt of a Christian country and of civilised society. He did not believe that this was the feeling on the part of the poorer classes of the country; he thought they had a better opinion of the sympathy of all classes with them. The hon. Member had stated his disapprobation of the removal of individuals from the agricultural to the manufacturing districts, and had imputed much blame to Dr. Kay for recommending this in his pamphlet. But he must really point out to the hon. Member the condition of the country at the time that this pamphlet was written. It was written in 1831 or 1832, and they knew that at that time the manufacturing

districts were only recovering from the depression under which they had been previously labouring. They knew that there was then a most remarkable change throughout the manufacturing districts; that a very large quantity of machinery was called into operation, and without going into details, that prosperity manifested itself at that time, and there was a demand for labour; and he could not but express his astonishment, that if a demand for labour existed in one part of the country, there should be an impediment thrown in the way of the labourer in another part of the country to get to it from the want and dearth of employment in his district. When labour had been wanted in the manufacturing districts it had been chiefly supplied by the sister kingdom; and he could not see what possible difference it could make if that labour were supplied from the agricultural districts of this country, where the labourer could not obtain employment. He admitted, that a vast number of Irish were embodied amongst the manufacturing population, and he did not think it right, that when an Irish labourer had resided forty or fifty years in this country, when times of distress like the present arrived, he should not be in a position to receive relief in this country. He confessed he did not think it was pursuing either a proper or a Christian course, on the first moment of depression in trade, to say to those men "Fall back on your parishes," and that they should make no attempt to support them. He felt that it was a duty on those who had drawn benefit from their labour to attempt to support them. But did it not occur in other places that the redundancy of the population in one district was taken to supply the wants of another. Did it not occur in London, for instance? Did they not find there, too, that the population at intervals, indeed, almost periodically, overpassed the means of employment; but could you condemn individuals in London, where there was a demand for labour, giving employment to persons coming from the agricultural districts? He must say that the hon. Member for Oldham (Mr. Fielden) had spoken with much injustice of those whom he had the honour to represent, when he said there was not an honest man among the people of Manchester who did not reprobate the New Poor-law. He could not at all concur in this statement; he had had communications from Manchester to a different effect; and with

respect to the board of guardians, from his own knowledge he could state that they acted with great cordiality in carrying the New Poor-law into operation. He had spent last winter among them, and he was confident that they were a most worthy and humane body of men, and that they would not suffer in any respect in comparison with any board of guardians in England.

Sir J. Graham wanted to call the attention of the House to the spirit and nature of their proceedings that evening. The object of the gallant Officer appeared to be to bring back the Poor-law to the point at which it stood before the passing of the Poor-Law Amendment Act. The hon. Member for Oldham had frankly stated that his object was to obstruct the passing of the bill now before the House until the 31st of July, the effect of which would be to throw the whole of the present arrangements for the Administration into a state of inextricable confusion. But he should pass by the consideration of both these objects, and proceed to notice the speech of the hon. Member for Knaresborough (Mr. Ferrand). The hon. Member had given as a reason for postponing the consideration of the bill for one week the ground that a certain part of the report of the assistant Poor-law commissioner which he had read to the House on Friday last was incorrect. The hon. Member, in the early part of the evening, had called for the production of that document. He at once acceded to the hon. Member's motion. Now, he would remind the House what were the circumstances under which he had alluded to this document. The hon. Member had asked him, what reason there was to introduce the New Poor-law into the north of England, and why the rule with respect to out-door relief had been introduced into the Keighly Union. He had grounded his reply on a report which the assistant Poor-law commissioner Mr. Mott had made in the execution of his duty. But he need not delay the House with going into particulars; he had explained that it was in consequence of Mr. Mott's report that the regulation in question had been introduced; for that from that report it appeared that considerable deviations had been made by the guardians there from the provisions of the law, and that they believed that their proceedings in granting relief were subject to the control of the magistrates. The hon. Member had indulged in great laudations of the conduct and management of the Keighly

Union. He thought that there must be some error in that; that at all events the hon. Member must have very different views of Poor-law management from him, and he thought fit to submit to the House his reasons for this conclusion. He now, in addition to the report of Mr. Mott of the 23rd of April, to which he then appealed, would refer to a report of Sir John Walsham, dated the 1st of June. The union of Keighley was in immediate contact with Burnley, and that part of the West Riding where there was great distress, and Sir J. Walsham having been sent down there on a special commission to inquire into the state of things there, he was also desired to go to Keighley and see whether what Mr. Mott had stated with regard to the state of that union was borne out by the facts. He would not read the report of Sir John Walsham, or any part of it; but he would content himself with stating, that if Sir John Walsham was not equally to be discredited, as the hon. Member stated Mr. Mott to be, then what the latter gentleman had stated could not be impugned. When his report was laid on the Table it would show that there was as much mismanagement and carelessness in the conduct of the affairs of the Keighly Union previously to the report of Mr. Mott as disgraced the administration of any other Poor-law union in any part of the country. He should to-night move for the production of Sir John Walsham's report, and when that as well as Mr. Mott's report should be upon the Table the hon. Member for Knaresborough should move for a committee of inquiry into the manner in which the Poor-law had been administered in the Keighly Union; and as to the veracity of the Poor-law commissioners on that point, he promised him he should have a full, fair, and searching inquiry into this matter.

Viscount Barrington, as the representative of a great constituency, and entertaining decided opinions on this question, would say, with every respect to his hon. Friend, that he could not conceive anything but injury could be derived to the cause he was advocating from a motion of this kind. He would, therefore, humbly press his hon. Friend to rest content with taking legitimate means of enforcing his own views, and not cause any unnecessary delay in the progress of this great measure.

Mr. Colville said, that when he found in the bill a clause which would have the effect of abolishing the Gilbert unions, he felt that he was bound to oppose their an-

nihilation, and he felt that his opposition was not a factious opposition. He must tell the House, that when the Conservatives expelled the Whigs from power, it was expected by the country that this law, the worst of all the evils that cursed it, would fall also; but in that hope the people had been painfully disappointed. He should vote for the adjournment, and if they were lucky enough to pass the bill over through another winter, the people would be able to remind their representatives of the promises which they made on the hustings.

The House divided on the question that the debate be adjourned.—Ayes 18; Noes 225:—Majority 207.

#### List of the AYES.

Brotherton, J.	Lawson, A.
Collins, W.	O'Connell, D.
Colville, C. R.	Paget, Col.
Crawford, W. S.	Pechell, Capt.
Drax, J. S. W. S. E.	Wakley, T.
Duke, Sir J.	Williams, W.
Duncombe, T.	Yorke, H. R.
Etwall, R.	
Hawkes, T.	TELLERS.
Hindley, C.	Ferrand, W. B.
Johnson, Gen.	Fielden, J.

House in committee *pro formd.*  
House adjourned.

### HOUSE OF LORDS,

Tuesday, June 21, 1842.

MINUTES.] BILLS. Public.—1<sup>st</sup> Salmon Fisheries (Scotland); Dean Forest Poor; Assessed Taxes Composition.

2<sup>nd</sup> Public Houses.

Private.—1<sup>st</sup> Bromyard Roads; Deptford Pier.

2<sup>nd</sup> Sudbury Improvement; Tadcaster and Otley Road.

Reported.—Duke of Cleveland's Estate; Burntisland and Granton Pier; Carlow Roads.

3<sup>rd</sup> and passed:—Coward's Divorce; Vere's Divorce.

PETITIONS PRESENTED. From Provost and Magistrates of Aberdeen, Proprietors of Salmon Fisheries in the Dee and Don, and Sea Coast in the vicinity of Messrs. Hogarth & Co., Tacksmen of various Fisheries, against the Salmon Fisheries (Scotland) Bill.—From Freeholders and others of St. Briavel's, against the Dean Forest Poor Bill.—By Lord Kenyon, from Inhabitants of Liverpool, and by the Marquess of Salisbury, from the Mayor and Magistrates of Liverpool, in favour of the Liverpool Improvement Bill; and by Lord Brougham, from Inhabitants of Liverpool, against the Bill.—By the Archbishop of Armagh, from Clergy of the Dioceses of Armagh, Elphin, Kilmore, Ferns, Leighlin, Ossory, and from Inhabitants of Clones, Clonmore, Killurin, Ballyscullion, Glanely, Shanco, Errigle, Corrowdore, Camerjuxta, Bann, and Lower Badony, in favour of the Church Education Society (Ireland).—From Londonderry, for the Repeal of Patronage in the Scotch Church.—From Hammer-smith Institution, to Exempt Literary and Scientific Institutions from Payment of Taxes.—By the Earl of Clarendon, from Inhabitants of the Cape of Good Hope, for a Representative Government in that Colony.

EDUCATION (IRELAND).] The Archbishop of Armagh presented petitions from

the bishops and clergy of the diocese of Lismore and other dioceses, against the system of national education in Ireland, and praying that Government support might be given to the Church (of England) Education Society in Ireland. The petition from Lismore was signed by the bishop and seventy-three of the clergy; that from Elphin was signed by forty-one out of forty-eight of the clergy. The whole four had the signatures of 441 clergymen. He must bear his testimony to the respectability of the Church Education Society, and to its great and increasing utility. There were not fewer than 1,200 schools belonging to it, giving instruction to 70,000 scholars, of whom more than 20,000 were Roman Catholics. He hoped that a society possessing so many claims to support might receive some aid out of the public funds.

The Marquess of Downshire fully concurred in what had fallen from the most rev. Prelate as to the great respectability and utility of this society. He was friendly to education on sound principles wherever given, but he would not support a society which acted on any exclusive plan as to the admission of scholars; but he was happy to find that no such exclusive system was practised in this society, in which, out of 70,000 scholars, more than one-fourth were Roman Catholics. He was of opinion, that support should be given to this society out of the public funds.

Petition laid on the Table.

THE CAPE OF GOOD HOPE.] The Earl of Clarendon said:—In pursuance of the notice I gave, I rise to present the petition which has been forwarded to me from the Cape of Good Hope. I beg to inform your Lordships that it is signed by more than 600 persons, and that it was agreed to at one of the largest meetings, as I have been given to understand, ever held at Cape Town. This petition appears to me well worthy the consideration of your Lordships and of her Majesty's Government, both on account of the number and respectability of the petitioners, and the fact that a similar petition to the Queen in Council has been sent home with the favourable recommendation of the governor, but also on account of the great capabilities and growing importance of the colony, which will, I am sure, incline your Lordships and the Government favourably to consider any measure that the inhabitants may think conducive to their interests. The population at the Cape of Good Hope is estimated

to exceed 180,000 ; and when we look at the geographical position of the colony, situated as it is half way between Europe and India, within twenty days' sail from Rio de Janeiro and other of the South American States, with the markets of the Indian seas open to the colony, all of which require the large quantities of provisions that the Cape of Good Hope has the means of furnishing —when we consider its importance as a naval and military station, and that our ships can at all times be supplied there abundantly and cheaper than in any other country, there can be no doubt that the colony is most valuable to us, and that we are bound to neglect nothing that can promote its prosperity. Its capabilities and productive powers are notorious, but some idea may be formed of them by the success of the settlers in the eastern province called Albany, where, not more than twenty years ago, a few poor English emigrants established themselves, and the country was at that time described to be unfit for the permanent residence of man or beast ; but by industry and enterprise they have created a flourishing settlement, and last year I understand they exported to this country upwards of a million pounds of merino wool. The inhabitants, however, are not satisfied with the form of government under which they live ; and a general conviction prevails among them that if they had had the management of their own affairs during the last twenty years, they would have been in a much more flourishing condition than they are at present, and they are strengthened in this opinion by the complete success which has attended the recent establishment of municipal institutions among them. These have been productive of much economy and local improvement, and they consequently think that the general interests of the community would be promoted by giving the people some influence in the management of their own affairs. Whether it will be expedient to comply with their wishes upon this subject it is of course for her Majesty's Government to determine. I think that wherever there exists a colony of Englishmen well settled they should always have free and liberal institutions ; entrusting to them the management of their own affairs is the best safeguard against that jealousy of the interference of the mother country and discontent at being governed from a distance, which are always the feelings most rife in a colony ; it gives the colonists confidence in themselves ; it calls forth men of superior abilities among them, and it

makes them feel that the money they are compelled to pay in the shape of taxes is expended properly and in a manner beneficial to themselves, or if not that they are responsible and have only themselves to blame for it. These were the principles acted upon by the late Government and from which her Majesty's present Ministers do not seem disposed to depart, for I have the satisfaction of knowing that a bill brought into the House of Commons last year by my noble Friend the late Secretary of the Colonies, for giving a representative system to New South Wales, has been adopted and again introduced by the noble Lord now at the head of that department. There are causes, however, which may properly induce the Government at home to pause before they grant a representative system to a colony, and among them are the fact of mixed races existing in such a colony ; its having an extended continental frontier, and having to deal with the aborigines residing both within and beyond that frontier ; the party spirit and jealousy always to a certain extent existing between mixed races may be still more excited in a representative assembly, and become dangerous, as in Canada between the French and English races ; a desire usually exists in such an assembly to extend the territory of the colony, and the mother country is in danger of being involved in the expense and trouble of their border quarrels, and you can never be sure that at the hands of such an assembly the aborigines will receive that consideration and kind treatment which it is the duty of the mother country to secure to them. I am bound to admit that all these circumstances exist at the Cape of Good Hope, but I do not think them conclusive against the benefits of some form of representation being extended to that colony, for both the Dutch and English races desire it—both are convinced that it would add to the general prosperity and be for their common good, and by that means tend to promote harmony between the races. There does not appear, at present at least, any desire on the part of either English or Dutch to extend the frontier, for the territory they now possess is infinitely greater than they have the means of cultivating, and so far from there being any disposition to maltreat the natives there appears to be a good understanding between them and the British subjects resident near the borders. Nevertheless, her Majesty's Government may not think it expedient to grant the prayer

of this petition to its full extent, but I think they will admit it is not to be wondered at that a large, intelligent, thriving community like that at the Cape of Good Hope should be discontented with their present form of Government, which consists of a legislative council composed of a majority of official persons and a minority of unofficial persons, chosen by the Governor, who very naturally selects those whom he thinks most likely to be subservient to his wishes. It is not unreasonable that such a system should be looked upon as one which prevents the people from having any voice in the Government, and excludes them from all management of their own affairs. The bill to which I just now alluded for giving a representative system to New South Wales, which is before the House of Commons, provides for the establishment of a Legislative Council, of whom twelve are to be appointed by the Queen, and eighteen are to be elected by the people, which council is to have power to add to its members in the same proportion—it provides that the council shall be held once every year, and that its duration shall be five years, and that all taxes and rates shall be appropriated to the public service of the colony; it moreover provides for local government by district councils which are to be elective. If this bill shall, as I hope it will, receive the sanction of Parliament, and become law, I think the inhabitants of the Cape of Good Hope will have cause for complaint if some such benefits are not extended to them, and that they are consequently looked upon as less trustworthy and less competent to manage their own affairs than her Majesty's subjects in New South Wales. I, of course, don't ask my noble Friends to give any decision upon this subject, but I trust the petition will be taken into the favourable consideration of her Majesty's Government.

The Earl of Ripon said, that the Government had received a petition from the Cape of Good Hope similar to that which had just been presented by his noble relation. It had been forwarded by the Governor, and was, as had been said by his noble Friend, signed by the most respectable inhabitants of the colony, who all seemed to agree that a representative form of government was the best, and ought to be established in the colony. It was hardly necessary for him to assure his noble Friend and their Lordships, that her Majesty's Government were anxious for the welfare of the Cape of Good Hope, and in the abstract could not object to a form of govern-

ment under which this country had so greatly prospered; but, as his noble Friend himself had admitted, there were difficulties in the way of such concessions, in consequence of divisions amongst the colonists themselves. These divisions arose partly from difference of origin, and partly from difference of habit, arising from that origin; but such as they were they constituted great difficulties in granting a representative form of government. Indeed, the plan sent home by the colonists was deficient in its detail, and would not, if followed out, give them the form of government which they desired, namely, one analogous to that of Great Britain; for it was proposed that all the Members should be elected, and all should sit in one House. This was not the principle of the plan proposed for New South Wales, in which there was to be a legislative assembly and a council, many of the members of which were to be named by the Government. When he stated this, let him add, that her Majesty's Government were not insensible to the merits of this important subject, and would give it their best attention.

Lord Brougham, had he known that his noble Friend was about to bring forward this question, would have asked him to postpone it to some more convenient time for discussion. As it was introduced, however, he would say one or two words on it. He was opposed, on principle, to the grant of a representative form of government to any colony where the races were so mixed that the legislative power would be concentrated in one race, and where it was probable that it would be often used to the oppression of the other. On this principle he would oppose any measure for extending the forms, it could not, for the present, be the principles, of the British Constitution to the Cape of Good Hope. His noble Friend had admitted that one of the difficulties standing in the way of such a measure was the mixture of various races in the colony. In that he fully concurred. But there were others which had always been considered decisive against such a measure. Besides the argument of the various races, where the white, or European race, did not constitute the majority, the extension of the British constitution was more nominal than real; and if, as in the case of the Cape of Good Hope, there should be, as was the fact, about one-third of the population of European descent, and if the slaves, or what was

nearly the same thing, those who were recently slaves and were now free men of colour, amounted to double that, it would increase the force of the reasons why for some time to come their Lordships should not give to that colony a representative form of government. He had often, during the existence of slavery in our colonies, contended for this principle. Applications were constantly made by the white population of Trinidad for a representative form of government, somewhat analogous to our own, but the application was as often refused; and he was one of those who joined in that refusal, on the ground that the legislative power in the hands of one party or race, would not be used for the protection of the other. When the proper time should arrive—when the whole body of the colonists were fit for such a change—that is, when the coloured people, the bulk of the inhabitants, could share in the franchise, then would he most heartily join in any measure for effecting the change; but he would oppose a measure which would tend materially, in the present circumstances, to oppress a portion of the colonists.

Lord *Howden* was glad that the attention of Government had been called to the subject. He could by no means concur in the argument of the noble and learned Lord for refusing a constitution to the Cape of Good Hope, because that colony had imported slaves. This, it should be considered, was not the fault of the colony. It was the fault of the period during which slavery and slave-trading were openly carried on throughout the empire. It was, therefore, most unjust that this colony should be made to suffer, and have the mark of Cain placed on its brow, for an offence which could not be imputed to it more than to others, to which no such punishment was awarded. Under all the circumstances of the case he would give the prayer of this petition his most cordial support. The colony had many claims upon our consideration; but one she possessed in a high degree, namely, that not one of our colonies was more cordially attached to the mother country. Another reason why he thought the Cape of Good Hope deserved a constitution was this—that it had so used the powers conferred on it with respect to municipal institutions, as to show that it was fully adequate to the task of self-government.

*Petition read and laid on the Table.*

[IRISH MAGISTRACY.] The Marquess of *Clanricarde* would take the opportunity of asking a question of the noble Duke opposite, to which he thought the noble Duke would have no difficulty in giving an answer. It was in reference to the re-appointment of Mr. St. George to the magistracy of the county of Galway. About six years ago, the Irish government, at the head of which his noble Friend, the Marquess of Normanby then was, took some steps which had displeased the magistracy of this county, and Mr. St. George, in consequence, wrote a letter, the effect of which was, that the noble Marquess caused him to be removed from the commission of the peace. Lately, the Magistrates had met together, and a considerable number of them had addressed a memorial to the Government, which they had begged him to forward to the Lord-lieutenant, requesting that Mr. St. George might be re-appointed. He knew the gentleman himself, and he knew that he was a most worthy, excellent person, fully qualified in every respect to perform the functions of a magistrate, and he believed that it was very desirable that he should re-assume his position in the commission of the peace. He had written to the Lord Chancellor of Ireland, forwarding the memorial of the gentlemen of the county to which he had already alluded, and expressing his own opinion that it would be convenient to accede to this proposition. In doing so, he had abstained altogether from making any remark upon the letter originally written by Mr. St. George. The Lord Chancellor did not think it right to act on his recommendation, or on that of his brother magistrates, inquired into the case, and having referred to the original letter, the Lord Chancellor thought it right that that Gentleman should express his regret for what had happened, and wrote to him to intimate that such was his opinion. In this letter the Lord Chancellor expressed himself towards Mr. St. George in the most courteous manner. The sentiments expressed in this communication were subsequently conveyed to Mr. St. George, but that gentleman declined to express any regret for what had passed before, or to withdraw anything which he had written. He had forwarded this reply to the Lord Chancellor, and had supposed that the matter was at an end. He had, therefore, been a little surprised to read in the newspapers an intimation by the noble Lord, the Secretary for Ireland, that the Government had subsequently re-

appointed Mr. St. George to the magistracy. He was at a loss to understand how it was that this result had been brought about, and whether it were attributable to the exertions of one of the newspapers which was looked upon as the organ of the high Tory party in Dublin, the *Evening Mail*, in which he had seen a very well written article on the subject, he could not, of course, say. The step which was taken, however, he thought, must in some sort justify the letter which had been originally written. He therefore begged to inquire of the noble Duke whether it were true, that Mr. St. George had been restored to the commission of the peace, and whether the noble Duke had any objection to make known the communications which had passed on this subject between the Irish government and Mr. St. George, or between the Lord Chancellor and Mr. St. George, or the Lord Chancellor and the Irish government?

The Duke of *Wellington* said, that in answer to the first question of the noble Marquess, he begged to state, that Mr. St. George had been restored to the commission of the peace. The noble Marquess had, so far as he knew, correctly stated the circumstances of this case. Five years ago, Mr. St. George was dismissed from the magistracy, in consequence of his writing a letter to the Lord-lieutenant upon an act performed by him in the exercise of the authority of his office. The noble Marquess had omitted to advert to this letter, but he could not otherwise than say that, in his opinion, the noble Lord at the head of the Irish government could not have done otherwise than desire that Mr. St. George might be dismissed from his office. The noble Marquess had stated truly, that he and other magistrates of the county—and, he believed, a large proportion of the gentlemen of the county—had expressed a desire that Mr. St. George should be restored to the magistracy. The Lord Chancellor thought proper, before he acquiesced in the application, to inquire into the circumstances attending his removal from office; and, having done so, he had thought it necessary to consider well, and to consult with others whether it would be expedient that he should be restored. Upon such consultation, he determined to restore him, and after a certain time, he was restored. There was a correspondence upon the subject, but he could not say that he considered it expedient to lay that correspondence on the Table of the

House. If the noble Marquess thought proper to move for those papers, he might give notice of a motion, and the Government would take the subject into their consideration, and he would give the noble Marquess an answer whether the papers could be produced or not. In the meantime, he must say, that it appeared to him that the re-appointment of this gentleman to the magistracy had given universal satisfaction to the country, and that most undoubtedly that re-appointment was not to be attributed to any desire to gratify the editor of any newspaper in Dublin. It was admitted, that the removal of Mr. St. George was a very proper step, and when his restoration did not take place until five years after that removal occurred, he thought that it might be perceived, that it was not attributable to any other cause than that, which was founded upon the length of time during which he had been out of the commission.

The Marquess of *Clanricarde* would not move for any papers in reference to this transaction; but he must say, that the answer of the noble Duke was far from satisfactory. From that answer, it rather appeared that the restoration of Mr. St. George had resulted more from what had appeared in the newspaper than from any other cause. He had applied for the restoration of Mr. St. George, but had failed. The editor of the newspaper had made something like an application in public, whether he had also applied in private or not he could not say, but the editor had succeeded. It was undoubtedly very satisfactory that Mr. St. George should be restored; but he must say, that if the Lord Chancellor was of opinion that there should be a retraction of something which had been said before, and that retraction was refused, it was singular that the request for his re-instatement, which had been previously refused, should be now acceded to.

THE TIPPERARY SPECIAL COMMISSION.] The Marquess of *Clanricarde* would take this opportunity of saying a few words in reference to what had passed the other evening with regard to the special commission issued for the trial of prisoners in Tipperary. That was a subject on which he had asked a question in the hope of getting some information, but he found that those noble Lords who had desired to set him right, had been themselves wrong. He was now informed that it would have

given rise to a great deal of confusion, if the assizes had been changed, so as to allow the trial of the prisoners for this county to take place first, and that at the same time there must have been some loss of time in adopting that course. He should like to know when the assizes were likely to take place at Clonmel, and when the special commission was to be opened at that place.

Lord Fitzgerald might perhaps be permitted to notice both points to which the noble Marquess had alluded. First, with respect to the re-appointment of Mr. St. George. He agreed with the noble Marquess in expressing his regret that his restoration to the position which he had previously held had not taken place upon the interposition of the noble Marquess, but he was sure that no blame was due to the learned and distinguished Lord Chancellor, who had been anxious to institute a full inquiry before he took upon himself to act at all in the affair. He believed that Mr. St. George himself had never applied to be re-instated, that he had never complained of the step which had been taken, but that the application for his restoration to the list of magistrates had been the act of his friends. He believed that a man more competent to the discharge of the magisterial duties, or who would more honourably, usefully, or patriotically fulfil them, could not be found in that or in any other country. With respect to the question of the special commission, when the noble Marquess had first brought this subject under the notice of the House, neither he nor any other noble Lord was prepared to give him an answer, and to say exactly when the assizes for Nenagh or Clonmel would commence. It would be satisfactory to the House now to learn that no delay would take place by reason of the issuing of the special commission. The special commission had been issued on the 10th of June, and it was determined that it should be opened at Clonmel on the 28th of the present month. The assizes at this place, according to their regular course, would not commence until the 28th of July, so that there would be a saving of one month. But it was not merely upon the time which would be saved, upon which the Government would rest their defence of the special commission. Every one who was acquainted with Ireland would acknowledge how important it was in that country that crime should be speedily followed by

punishment, and it was not unimportant therefore that the Government should take the earliest possible measures to bring the guilty to justice, when they had reason to suppose that they really had the guilty in custody. In the present case, too, intimidation prevailed to a great extent. Murders had been committed, the whole frame of society was shook, and the delay of a month or a week was, in the consideration of the Government, of the highest importance. But there were other points also which it was important to consider. If the trial of these persons had taken place at the ordinary assizes for the North Riding of the county of Tipperary, the jurors for that Riding alone would be summoned upon their trial; but under the special commission this arrangement would not prevail, but the jurors of the whole county would be called upon to attend. It was besides highly desirable that the trial should take place at Clonmel, a large and populous town, removed from the scene of intimidation, where witnesses had been threatened with violence, and even murder. There was only one other circumstance to which he would refer. The noble Marquess had characterised this commission the other night, rather hastily he thought, as an unprecedented job—[The Marquess of Clanricarde had said, that it had been so designated.] Then, the noble Marquess had not used the expression as conveying his own views: but only the assertion of a newspaper that this was a gross job, and he should be the less sparing in his answer to the suggestion. He declared that the charge was grossly unfounded and unjust, and from whatever source it proceeded, he had no hesitation in denying its truth. A job for whom? Was it for the judges? They were the judges of the land; the two eminent individuals who held the respective positions of the two chief justices of Ireland. It could not be said, then, that they were to profit by it. Was it for the law officers of the Crown? His noble Friend well knew that no law officers were taken down on a special commission without heavy fees; but what was the position of these gentlemen?—that, in order to go down to the special commission, they must give up the circuit, and they were now placed, therefore, in no better position than that in which they would have otherwise stood. He believed that his noble Friend would not be sorry to receive this explanation.

Subject at an end.



INCOME (PROPERTY) TAX.] The Order of the Day for resuming the adjourned debate on the third reading of the Income-tax Bill was read.

The Marquess of *Clanricarde* said, that having moved the adjournment of this debate the other evening, in opposition to the majority of noble Lords, and knowing very well how incapable he was to explain to their Lordships what he deemed to be the grounds upon which this measure ought to be rejected, he owned that he should have felt much embarrassed in the position in which he now stood if it were not that the more he considered the matter—the more reflection he was able to give to the speeches by which the bill had been supported, the more he felt himself strengthened in the conviction that their Lordships should not allow this measure to pass into a law. The argument that it was too late in the Session for their Lordships to throw out the measure, was one which ought not for one moment to prevail. Their Lordships were not there merely to register the edicts of the other House of Parliament; and if they were to reject this bill, there would be abundance of time for a new measure. There was no reason why an entirely new provision should not be made to meet the financial difficulties of the country. He was sure that no such argument would be used by any of their Lordships; but that independent of all such considerations their Lordships would exercise their deliberate judgment with respect to this measure. It was difficult for him to say anything in opposition to it which had not been said much better before. If he wanted to show their Lordships that this bill would be extremely injurious in its effects upon trade—that it was vexatious in its spirit—odious to the people—degrading to their character—repugnant to their feelings, he should read to their Lordships the petition presented to their Lordships' House in 1816 from the merchants of London, or the petition which he had had the honour to present from Finsbury in the course of the present Session. If he wanted to show this, he should in the best manner, tread to their Lordships the speeches which had been delivered against such a proposition by Members of that and the other House of Parliament, some of them Members of her Majesty's present Ministry. But the evils of this system of taxation had not been denied, and there-

fore he should not dwell upon them; but if the arguments against a Property-tax were agreed to be great and stringent—and no one had attempted to deny that they were—he could not help saying that all the evils and bad characteristics of such a tax were to be found in this bill, in their grossest and most aggravated form. He must admit, that, the other evening, something had been said in favour of an Income-tax; but that was not said by any Member of her Majesty's Government, but by a noble Friend of his, who was not now in his place (Viscount Melbourn), and as that noble Viscount was the only individual who had spoken in favour of the measure, but had voted against it, he must notice his arguments. What the noble Viscount had said was, that the bill would produce money; and that argument had been taken up by the noble Duke, who said that the Government wanted money; that this measure would produce money; and that that afforded a reason for passing this bill. But the noble Viscount had found out that this tax ought to have been relied on more; and that the country had rejected it somewhat hastily in 1816. And the noble Viscount had gone further, and by an illustration—a classical illustration—of his own position, when he was at the head of her Majesty's late Government, certainly left it to be inferred that he himself would, if possible, have proposed some such bill to the country. This was the first time that either in or out of the House he had ever heard that such an opinion was entertained by the noble Viscount while he held the position to which he had alluded. His noble Friend, however, was not in the House, and he would not say much that he had intended, he would only remark that his noble Friend did not declare this to be a bad bill, he only said he would vote against it because he had got a bill of his own. He did not vote against it because he had a choice of evils, but because, to use a French phrase, there was *un embarras de richesses*. The only substantial plea for this bill advanced by his noble Friend was that solely relied upon by her Majesty's Ministers, the plea of necessity. The only plea that justified her Majesty's Ministers was that upon which his noble Friend likewise relied. He thought that her Majesty's Government ought to have proved that a necessity existed; they had declined this, they had done no such thing. Instead of

proving this necessity, the speech of his noble Friend the President of the Board of Trade (the Earl of Ripon), proved that so far from there being any necessity, they had to go out of their way to create a necessity for justifying the Parliament in imposing this tax upon the country. If an immediate necessity actually existed, he would not say that he would oppose an Income-tax. He was free to admit that although there were great evils in a property tax and an Income-tax, still he might vote for such a tax. If they showed him that the safety, the honour, or the credit of the country required an Income-tax, odious as it was he would vote for it. Nay, if they showed him that, for the extension and the opening of our commerce, and that the carrying out those measures which would really relieve the springs of industry, it would be necessary that the enactment of an Income-tax should be taken into consideration, he would not be unwilling to enter into that consideration. Nay more; if her Majesty's Ministers had proposed to Parliament any great and permanent plan of finance, of which a direct taxation on the property of the country should form a material part, he would not be unwilling to apply himself to the consideration whether an Income-tax could not be devised which would press equally on all incomes, and by which the evils contained in the present bill would be removed. Still he saw a great objection to any mode of levying money by direct taxation, and he thought there would be much danger, in a financial point of view, in supplying a large portion of the revenue by such a mode. He contended, however, that her Majesty's Government had this year done no such thing, and that the necessity for this tax was not in any way proved. His noble Friend the President of the Board of Trade had put the necessity of the Income-tax upon three grounds:—First, he said it was necessary to equalize the income of the country and the expenditure; secondly, that it was necessary, for the purpose of revising that heterogeneous mass of import duties commonly called the tariff; and, thirdly, it was necessary, because it was impossible to find any tax less objectionable and equally efficient at the present moment. In his opinion, throughout the views of her Majesty's Ministers there was a great pervading error. In the first place the Government

had exaggerated, or, rather, over-estimated the financial difficulties in which we were placed; and in the next place they underestimated the powers of the trading, commercial, and social interests which were bound up with these difficulties. His noble Friend, in applying himself to the first point, had discussed almost entirely the expenditure of the country. He hoped his noble Friend had exaggerated those expenses, or the difficulty of having them speedily reduced. Very slight mention was made of the resources of the country. He had said nothing of the reason why the income had not equalled the expenditure. His noble Friend did touch upon the loss by the reduction of the Post-office duties, and had said that Parliament had engaged to make it good—an engagement which, the noble Duke added, had not been performed; and had then touched very lightly on the addition of 5 per cent. on the customs, and 10 per cent. on the assessed taxes. His noble Friend should have shown why these taxes had failed. That, he said, was an essential point for their consideration. The votes had failed to make good the deficiency in the Post-office duties, either on account of some sudden or unforeseen cause, or because the Ministers who had proposed these taxes, the opposition who had readily accepted them, and the Parliament which had voted them, had acted in very great error. This point was particularly necessary to be considered, if they looked forward to the glimmering of a hope that the tax would be temporary. He said that it was impossible to entertain the glimmering of this hope, unless they examined why the taxes imposed to make good the Post-office deficiency had not answered the intended purpose. The cause for our difficulties which was mainly urged was the state of America. If that were the cause, it ought to have been by this time somewhat surmounted. If it were said, as his noble Friends behind him said, that these difficulties arose from the Corn-laws, taken in conjunction with bad harvests, the cause would still be liable to a recurrence. If there were a gradual decline of our commerce and manufactures, as a noble Friend of his connected with Yorkshire (Earl Fitzwilliam) asserted, he then said that our embarrassments were more serious, and that they ought to enter deeply into the subject; and that in the mean time it was impossible for noble

Lords opposite to hold out any hope of relieving the country from the tax they now placed upon them. Although he did not disagree to the proposition laid down by the noble Earl, that the income and expenditure of the country ought to be equal, yet if ever there was a time when they ought not to overlay the resources of the country, when taxation ought to be imposed most carefully, when they should not lay imposts on profits or expenditure—if ever there was a time when, according to an expression which had been much in vogue, they should leave the money in the pockets of the people to fructify, it was the present moment. He came now to the second point on which the necessity for this tax was declared—the revision of that heterogeneous mass of import duties commonly called the tariff. He was somewhat surprised at the view just now taken by the Government of these duties. It was remarkable that the present Ministers of the Crown, who had held high office before, should have found out the real nature of the tariff at that particular moment. When he saw men who had been long eminent in public stations, who had held offices which must have forced upon them the consideration of questions of finance and of commerce, and particularly of these duties, so long in being awakened to the real character of those duties, and to the necessity of legislation, it was not too much to say, that their conduct rather strengthened the views of the late Government than went the other way—that they were in favour of the policy they had so long maintained, and that they had now adopted these measures to create a necessity for the Income-tax. His noble Friend had called this a heterogeneous mass of legislation, and had declared that it was founded on no intelligible principle. He thought, however, that no one would venture to take up the new tariff when it should come before the House, and say, that it was consistent with any one principle whatsoever. He would not at present enter into the tariff, they would upon the proper occasion have enough to do when the tariff was before them. When he said this, however, he did not defend the old tariff. He said that tariff for tariff he infinitely preferred the new. But, then, if he were asked whether he would have preferred that the old tariff should have *remained a little longer*—and a little longer

only could it have remained with indirect taxation, or the new tariff with the Income-tax, he would then say, that he would have preferred submitting to the old tariff a little longer. All the good he saw in the new tariff was, the principle on which its introduction had been founded, and the speeches it had drawn forth, which did not appear to him to originate so much with the new tariff as in the measures of the old Government. But as they had got the announcement of the principle, and these speeches, he would not object to the postponement of the new tariff for one year, provided they could avoid a tax which they so much dreaded. When he looked at the tariff and the report of the committee on import duties, he found that the measures adopted by the Government were the very reverse of some of the recommendations. It was true, that if they lowered the duties from which a large revenue was derived, they could not expect an increase of revenue till after the lapse of a considerable interval of time. If they could expect such a sudden increase they would reduce the matter to the couplet in the old song :—

“ My revenue is great, because it is so small,  
Then it had been greater had you none at all !”

In the tariff there were differential duties, and protective duties ; and if they re-arranged the differential duties and decreased the protective duties, they would be able to increase the revenue. He said that the whole system of the new tariff was a system of protection and of large differential duties. He knew that all protection could not be taken away, but they might still avoid much difficulty and ensure a more satisfactory state of things. Instead of this the Government had done the very reverse. He said more ; if, in consequence of the present distress, particular interests were called upon to make sacrifices, they ought to be the great protected interests for which the country had made such sacrifices, and had submitted to such a large amount of taxation, whether they were colonial or domestic. He, therefore, said, that the second element on which his noble Friend founded the justice of this tax wholly failed, although he admitted, that a tariff founded upon sound principles might have done much to alleviate the necessity of the Income-tax. He came next to the third point in his noble Friend's (the Earl of

Ripon's) argument, which, as he thought, involved the whole question, and in which his noble Friend said, that it was impossible to find any articles which would produce as much money, and which would not be more injurious. His noble Friend went over the repealed duties on the several articles of raw material, and had asked whether they would re-impose any of these. His noble Friend had raised a host of shadows, and had cut them down very valiantly. His noble Friend had touched very gently on some which he might have dwelt upon. He had said little of the wine duties and assessed taxes. But noble Lords on the Opposition side of the House were not called upon to specify from what sources the money could be derived. He did not want the authority of Sir Robert Peel to say, that they were not bound to find him a budget. He found, however, that the amount of taxes repealed or reduced since 1821 was 23,181,060*l.*, of which had been re-imposed 1,023,811*l.*, leaving upwards of 22,000,000*l.* of taxes repealed since 1821. There was also the Excise—on the Customs he did not rely. It was not by taking out a single article and arguing upon it that the noble Earl could show that no more money could be raised. There was no tax which could be selected against which somebody could not raise objections. In 1819 the noble Lord opposite (Lord Bexley), who preceded the noble Earl in the office of Chancellor of the Exchequer, had increased the revenue, and yet had not imposed the Income-tax. And three years afterwards, in 1822, the noble Earl had repealed two millions of taxes; in 1823 he repealed four millions, and in 1825 he repealed a million and a half more. This showed that the additional taxation then imposed had not impaired the resources of the country. He asked, therefore, why the resources of the country could not now bear a resort to the same means as well as they did in 1819? That was what his noble Friend refused to tell—when prosperity was regained before the fresh taxes were repealed. It was true, that when Parliament imposed an additional duty of 5 per cent. on the Customs, and 10 per cent. on the assessed taxes, the produce of the Customs had not answered expectation, but the assessed taxes had been more productive than had been anticipated. That measure, therefore, could not be looked upon as an entire

failure. It would not be said that out of the 22,000,000*l.* of duties repealed, it was impossible to raise two and a half or three millions by resorting to some of those repealed duties. The real necessities for which they were to provide was only two and a half or three millions of money. It was impossible to say that no tax could be found to provide this sum which would not press more heavily upon the country than an Income-tax. He said, then, that his noble Friend had on every point failed to prove the necessity of an Income-tax. Still the Government said, and it was fair to say, that an Income-tax was not only to provide for this deficiency, but also to enable them to couple with it a reduction of taxation, and that, taking the whole together, the country would benefit by a reduction of duties. He objected to the whole plan. He said that this attempt to relieve the distress of the country was contemptible. He said that the proposed relief was ridiculous in relation to the largeness of the distress; and that for this relief, small as it was, a tax was to be put upon the country which was vexatious and injurious, and to his mind ill adapted to the present circumstances of the country. To take, however, the entire plan. The Government found a deficiency in the income of two and a half millions, and the first thing they did was to throw away 600,000*l.* by giving up the timber duties. He said that this proposal was wholly unjustifiable in the present state of the revenue. He did not deny that a reduction of the timber duties would be productive of considerable advantage; but when this advantage was put into competition with the evil of an Income-tax, it was nothing. The Government did not give cheap and good timber; they gave the country cheap timber, but they gave it bad timber. It was true that they would let in some Baltic timber, on which the duty was now almost prohibitive, but the principal was still protection; they kept up high differential duties. If they wanted a direct trade with the Baltic, why did they not leave on the 8*s.* duty? He asked where would be the advantage to the community now? If this were a moment when trade was going on profitably, and when many houses were building, the reduction of the duties on timber might be important, but at the present moment houses were falling to decay, and workshops were deserted, and the only houses to which the

poor could look were the workhouses. The only way in which the reduction of the duties could do good to this country was by opening the trade, and this the Government had refused to do. They chose rather to keep up the differential duties. Nay, some of her Majesty's Ministers had, elsewhere, taken credit to themselves and said that the persons connected with Canada were quite content with the proposed change. [Lord Fitzgerald: They are not satisfied.] It had been so stated in that place, and the statement had been eagerly caught up. The Government had also reduced the duty upon coffee. Taken by itself and abstractedly, this was a good thing; but when for this reduction, the country was to have the Income-tax, the sacrifice was too great. He did not wish to discuss the budget proposed by his noble Friend near him, but it was impossible to hear of the duty on coffee being reduced and not to revert to the duties upon sugar. The duties on sugar were kept up, although the reduction of them would have been a far greater boon than the reduction of the coffee duties, and would have materially increased consumption. The great argument used last year was, "We cannot let in foreign sugar because we cannot encourage slave-grown sugar." Although he would be as happy as any one to see the abolition of slavery throughout the world, and would assist that abolition to the utmost of his power, still he did not think that such a doctrine ought to be introduced into our system of taxation, and at any rate her Majesty's Government had wholly abandoned that argument, when they permitted coffee to come into this country from the Brazils and from Cuba. In reducing the duty on coffee they would have acted infinitely wiser if they had made no differential duties in favour of our East Indian possessions, and had allowed the coffee to come direct from the Brazils and from Cuba with the imposition of an additional duty, less than the cost of the voyage round by the Cape of Good Hope. The whole amount of the reduction of the coffee duties was only 170,000*l.*, and for that there was no necessity to impose an Income-tax! but he objected to the reduction as being badly carried into effect. A word or two before he concluded upon the promised surplus. His noble Friend had stated that it would amount to half a million; and supposing *it not to be very much under-estimated,*

how was it to be applied? His noble Friend had stated that it was wanted to carry on pending negotiations with foreign countries. He would like to hear what were the negotiations which were in such a condition as to need that expenditure; and it seemed to him that it would have been much more becoming if Ministers had simply taken a vote, that any deficiency to be thus occasioned would be made good. The country ought not to be called upon to provide half a million, at a time when it was not at all likely to be wanted. But if it were not wanted for negotiations, it seemed that it would be wanted for the purpose of reducing other taxes. If it were to be so applied, what chance was there of ever getting rid of the Income-tax? Was it not, in fact, the grossest deception to say that the Income-tax should determine in three years, when everything showed that it would then be quite as much wanted as now? If it did not expire in three years, the bill upon the Table would become part of the permanent taxation of the country, and to that he must feel the greatest possible objection. Sure he was that the country would never consent to it, and nothing could be worse than to commence such a system, if it were not meant to persevere in it. A noble Earl (the Earl of Wicklow) on Friday had made it matter of complaint, and with reason, that Ireland was not included in the measure. Ireland was to be permanently taxed to the extent of 400,000*l.* a year, while in England, according to the showing of Ministers, the evil was only to be of three years' continuance. If, however, it was not really intended that the Income-tax should expire (and he for one could not see how that was possible) the two countries might be considered pretty much on an equality. He entreated the House to consider what a compound of injustice the bill amounted to: the powers of the commissioners were so tyrannical as absolutely to be inconsistent with the principles of free government. He had presented a petition from persons who had experienced the working of the old Income-tax, but it was impossible that that could have been worse than some of the provisions of the present bill. Could any injustice be more crying than that persons in mercantile pursuits were to pay the tax not upon their profits of last year, but on the average of the three last years? Thus, at a time when busi-

ness was least advantageous, when, in truth, to many it was ruinous, they were required not to pay upon their actual incomes, but upon their receipts when trade had not so seriously declined. He might detain their Lordships all night by pointing out the manifold injustice of the measure, but he would only advert to a few others. A noble Duke (the Duke of Richmond) on a former night had spoken of the present as a landed Parliament, and had intimated that good care would therefore be taken of the land. Certainly it seemed as if in this bill landed proprietors had paid due regard to their own property and interests, and, in order to save themselves, had taxed more severely the rest of the community.

The Duke of *Richmond*: The noble Marquess had misunderstood what had fallen from him. He could not, with any justice, have stated that the present Government had paid the slightest attention to the wishes of the landed interest.

The Marquess of *Clanricarde* was prepared to show to what extent the landed interest had been benefitted at the expense of the rest of her Majesty's subjects. For this purpose he would take the figures of the right hon. Baronet at the head of the Government, from which it appeared that the income derived from land, and including tithes, was 82,796,000*l.*, the amount of tax to be derived from it was calculated at 1,127,000*l.* The income derived from other sources was supposed to be 114,425,000*l.*, and the tax from it was calculated at 2,470,000*l.* Thus it was admitted that 114,000,000*l.* paid more than double the amount of tax obtained from 82,000,000*l.*, and the injustice therefore was evident. He had said early in the evening that he thought it a perfect fallacy to suppose that the people were not aware of the operation of the bill, and of the mode in which it would affect their interests, and Ministers in framing it had taken care to throw a sop to the lower classes which contained in itself a very dangerous principle. All incomes not amounting to 150*l.* were exempted. The noble Earl, in introducing the measure, had stated the fact, but he had not attempted to support the provision by one word of reasoning. It would be said, however, that the bill of 1806 contained a similar exemption; but that was no answer, because the circumstances were entirely different: what might be just in

1806 might be the height of injustice in 1842. The exemption then was of incomes under 60*l.*; but war prices then prevailed for all the necessities of life, and the currency was depreciated so that 60*l.* then could hardly be considered more than a quarter of 150*l.* now. Supposing the bill to continue, as he feared it would, for a long period, what security on earth was there that in case of pressure the tax might not be raised to 6 per cent., and the exemption raised to incomes of 250*l.*? In time, it might be raised to 10 per cent., or even to 20 per cent., and then incomes of 500*l.* might be exempted. This was the dangerous principle involved in the tax and in the mode in which it was imposed. Whether Ministers had or had not remembered their friends of the landed interest, they had certainly remembered their friends the Chartists, and this most dangerous principle had been apparently adopted in order to secure their good graces. He was sorry to have troubled the House at so much length; but he objected to the whole scheme. As a measure of relief it would be trifling, inefficient, and even contemptible; while, as a tax, it would weigh most oppressively on the income and capital of the country; this, to, at a moment when, instead of taxing profits, modes ought to have been found to induce capitalists to employ their money in trade and speculation. It had been asserted that the measure had had the effect of keeping up the credit of the country. True it was that the price of the funds was high, but any man who considered that a proof of prosperity would be most grossly mistaken. He believed that the funds were kept up by the fact that capitalists were afraid to embark their money in any speculative adventure. He was convinced that the Ministerial scheme, instead of relieving distress, would increase it; the truth was, that Ministers had only considered how they could raise a certain sum, regardless of the consequences to the country, and of the perils to which it would be exposed. The noble Marquess concluded by moving, that the bill be read a third time on that day three months.

The Earl of *Wicklow* observed, that what had fallen from him on a former night had been incorrectly reported. He had been represented to have said that Government, in not applying the bill to Ireland, had been guilty of an insult to

that country, and remarks had been made, founded upon the error, which might be of some consequence when they reached the other side of the water. He had never said any such thing, and he had never imputed any such intention to Ministers. He was convinced that they had given the fullest consideration to the subject, and that they would have extended the bill to Ireland if they had thought the country fit for it. They had not done so, and he was satisfied that they were right. What he had said was, that he was extremely sorry it was not so extended, because it showed that the deliberate opinion of Ministers was, that Ireland was not fit to bear it, while it was in fact subjected to nearly as great an amount of taxation as if the Income-tax had been applied to it. The operation of the whole measure would affect that country as much as if Ireland had had to bear the Income-tax. He therefore repeated his regret that the Income-tax had not been found a fit tax to be applied to Ireland.

Earl *Stanhope* objected strongly to some of the financial measures of the late Administration, which he considered not only injurious to the landed interest, but destructive to our North American colonies. To such measures he would prefer even the Income-tax, odious, unjust, and inquisitorial as it was. When the tariff should be brought before the House he should think it his duty to move its rejection, although it had been the fashion to say that that and the Income-tax were to be looked upon as one measure. It had been stated that the tariff would afford so much relief in the cheapness of various articles of consumption, that really the Income-tax would not be felt. Had he not long ceased to be surprised at anything said or done, he should have been astonished at the boldness of such an assertion. But if the tariff were connected with the Income-tax, it seemed to him that the new Corn-law was quite as intimately involved; since landlords would find that the new Corn-law would put so much money into their pockets that they could well afford the small deduction of 3 per cent. Much had been said of the existing deficiency, but he did not attribute it entirely to the depressed state of trade. It was, in his opinion, to be traced to the mismanagement of the late Administration. Year by year they had continued a reckless reduction of taxes, and that course must in time lead

to defalcation. Perhaps the first experiment of this kind by the late Ministers was the notable Penny Postage scheme, recommended by Mr. Rowland Hill, who had had very good reason to rejoice in the adoption of it. The country, however, had suffered, inasmuch as it cost it a revenue of not less than 1,200,000*l.* A deficiency having been found, the natural remedy would seem to be the re-imposition of certain taxes, the removal of which had not afforded the relief expected. He was not one of the provincial Chancellors of the Exchequer who had been treated with so much contempt elsewhere; on the contrary, he had never offered advice to any Minister under the conviction that it would not be followed, and perhaps not even received. Were he to recommend a course, he would suggest that a well-regulated house-tax ought to have been adopted, exempting houses occupied by the lower classes—and governed by the number of windows, increasing in proportion to that number. Next, he would have proposed a modified increase of the assessed taxes; relieving those who kept one manservant, one horse, or one carriage, and augmenting the burden upon those who could afford to keep many servants, horses, and carriages. Instead of objecting to the exemption of incomes under 150*l.*, although he might be called Chartist, or worse, he would have carried it further. In the third place, he would have raised the postage to two-pence; and, lastly, he should have considered it extremely judicious to have placed an additional duty on French wines, which were solely consumed by those who could well afford to pay. It might be said that an Income-tax was most convenient, because it might be raised to any amount, and because there could be no evasion; but the mere fact that it had not been recommended by former Governments, excepting under extraordinary circumstances, and for a limited time, showed that it was liable to the strongest objections. *Pro tanto* it might be said to amount to a confiscation of property; for where was the difference between depriving a man of 10 or 20 per cent, of his income, and taking away 10 or 20 per cent, of his property? No man had attempted to deny the inquisitorial nature of the Income-tax, and the power entrusted to the commissioners was as unlimited as it was arbitrary. Its inquisitorial character was destructive of that con-

fidence which was essential in a commercial country. But he especially entreated their Lordships to reflect upon the effect of this inquisitorial tax upon the middle classes, hitherto the best and foremost supporters of our national institutions. Was there such general prosperity and happiness throughout the empire that Ministers feared no disturbance of the public peace, and could afford to alienate the affections of those who were most sincerely attached to social order? The Income-tax was to be imposed because former taxes had been repealed, but had they been repealed because they were unproductive, or because they could be dispensed with? Not many years ago a much heavier weight of taxation had been borne, not only without suffering, but without murmuring: then, however, the country had a currency commensurate to its wants. The subject of the currency was not foreign to the question before their Lordships; for if they should be engaged in war, and endeavoured to raise a revenue adequate to the expenditure, either by direct or indirect taxation, so long as that measure called Peel's bill continued in existence, they would attempt to effect that which was utterly impracticable. The first effect of an expensive war would be to blow that bill to atoms; and if the Bank of England should not be restricted by an order in council, the Bank of England would restrict itself, for it would be utterly unable to make its payments. He knew that these opinions were unpopular in their Lordships' House. He remembered well what was said of them by his noble and learned Friend (Lord Brougham); but it was his full and firm conviction that the opinion of the late Sir Robert Peel would sooner or later be verified. He had learned from certain information that the opinion the late Sir Robert Peel gave his son was this—"You never can carry that bill (meaning the bill for the resumption of cash payments) into full operation without ruining and revolutionizing this country." He should consider an Income-tax, notwithstanding the numerous and weighty objections which might be justly urged against it, to have at least one merit, if it did possess that advantage, which had been sometimes ascribed to it—that of taxing the rich, and not the poor. But he believed the result would be found, that it taxed the poor through the rich; and to that point he was anxious to call

their Lordships' attention. This alone was to him a sufficient reason for opposing the tax. Had not their Lordships observed in all quarters the reductions about to be made in private establishments? Was it not obvious, that when they imposed a tax upon any consumable article, they might or not diminish the amount of production; they might or not increase the amount of revenue to be derived from it, but that at least they did not by necessary consequence diminish the amount of labour; but that when they imposed an Income-tax, they obliged every prudent person whose income did not much exceed his usual expenditure to form for himself a new budget, to review all his pecuniary affairs, and to consider what reductions he could make; and what would be the effect of the curtailment of that expenditure at a time like the present, and in the circumstances in which the country was now placed? How much would it increase and aggravate the present distress, of which the immediate and proximate cause, whatever might be the ultimate cause, was an insufficiency of employment and remuneration of labour. With respect to that distress, differing as he did with regard to the causes of it from noble Lords opposite, he fully and entirely concurred with them, that it was a subject which immediately and imperatively demanded the serious consideration of Parliament. Not an instant of time should be lost in applying an efficient and adequate remedy. The continuance of that distress was most afflicting and alarming. The consequences of that distress also, and at no distant period, could be nothing less than anarchy throughout the land. There was another consideration which ought to weigh deeply on their Lordships' minds; they ought to husband in time of peace, and not exhaust wholly, or in part, those resources which were applicable only in a state of war. He knew it would be said, and it was unfortunately too true, that they were not at present entirely in a state of peace; that hostilities were now being carried on in China and in Afghanistan. He would upon this occasion say nothing of the extreme impolicy, of the flagrant injustice of the war they were now waging in China—a war commenced without any attempt at negotiation, and without even the formality of a declaration of war; and continued without even the consent of Parliament being obtained. He was aware



that they all read a proclamation in the *Gazette* that letters of mark and reprisals were issued, but was any message sent to the House of Commons? Why did he mention this? Not in order to renew a discussion upon the subject, but because the consent of Parliament not having been obtained for that war, he did not think that Parliament could be justly or reasonably required to make good any expenses that had been incurred. But suppose the contrary had been the case, still for a temporary object, for so inconsiderable a matter in point of expense, though not in regard to its ultimate consequences, he thought other means might have been devised to defray the charge. If they were to exhaust in a time of peace those resources which ought to be reserved for a time of war, in what position would they be placed with respect to the other powers of Europe? What must be the direct and necessary consequence but to invite insult, aggression, and attack? What was another consequence that might result? He alluded to the evils and embarrassments to which this country might be exposed, if foreigners, who had property in the English funds, should be induced, in consequence of the Income-tax, to withdraw their capital? The effect it would produce must necessarily be very prejudicial. He had not ascertained the exact amount of capital so invested, but it was supposed to be between 12,000,000*l.* and 14,000,000*l.* If this were to be suddenly abstracted, it would so far diminish the amount of bullion in the Bank of England, and derange the whole circulation of the country. It would withdraw a large amount of capital, paralyse the energies and industry of the people, and tend to produce numerous bankruptcies throughout the land. He considered, therefore, this measure, for the reasons he had stated, to be pregnant with evil. But he would even yet allow that it was the least mischievous measure which had been proposed by the present Government. He should support the amendment of the noble Marquess (the Marquess of Clanricarde), although he differed from him in several respects. He was anxious to bear his testimony to the ability and judgment and extensive knowledge with which the noble Marquess had enforced his views. He felt the extreme impolicy of the present measure. It was not required by the *exigency of the country*, and could only

tend to aggravate the present distress under which the nation was suffering.

Lord Beaumont said, that he would fain throw himself on the indulgence of the House while he stated to their Lordships his opinions on the question, for, although he had been contented to give a silent vote on a former evening against the resolution moved by the noble Marquess, because that resolution contained principles and embodied doctrines of free-trade to which he could never subscribe, he felt unwilling on the present occasion to give an unqualified support to the Government measure. It was not to the principle of an Income-tax that he objected; it was not the necessity of its imposition that he denied; but his motives for qualifying his vote in its favour were the incorrect grounds on which it had been attempted to found it, the false reasoning with which its proposers had defended it, and the ruinous tendency of the measures with which it was surrounded and accompanied. As to the necessity of this or some equally efficient tax, he believed they were all agreed, for both sides of the House had admitted that it was incumbent on the Government, and absolutely necessary for the country to equalize the income with the expenditure of the State. Looking at the aspect of affairs not only here but on the continent, or more properly speaking, not only in Europe but throughout the world, no Minister would be justified in evading the immediate consideration of our financial difficulties, or of allowing any longer the annual increase of the deficit to continue. If noble Lords paid any attention to the periodical press of the continent, or took the trouble to read the numerous pamphlets with which political writers inundated France and Germany, they could not fail to observe that all these scribblers dwelt upon the state of our finance as the most important feature of our approaching decline, and pointed to the deficit in our revenue as the gangrene that was eating into the vitals of the country. Anxious as many of these authors are to run down our resources and anticipate our fall, they already calculate the slow degrees by which our financial embarrassment is destined to advance, and eagerly fix the period when it shall have arrived at such a height, that no Government will be able to raise a revenue equal to our expenditure. Under these circumstances it must be admitted that the moment is arrived when it becomes absolutely necessary that some effectual

means should be adopted which would meet the present deficit, and remove the injurious impression such a state of our finances has naturally created abroad. The only question that remains is the choice of the measure which is to produce the desired effect. Until the noble Earl who spoke last proposed his scheme of finance, the only measure which had been brought forward or even alluded to, besides that of an Income-tax, was the one embodied in the resolution of the noble Marquess, which professed to raise the revenue by means of alterations in the customs' duties on sugar, timber, and corn. He (Lord Beaumont) would not question the calculations of the noble Marquess, nor throw out a doubt as to the realization of the noble Marquess's anticipations; but it should be remembered that all revenue, raised by means of the customs, depends upon the reciprocity of trade between this and other countries, and that reciprocity of trade depends upon the maintenance of peace; and that, therefore, a revenue raised from such a source, would not impress foreign nations with a belief in the unexhausted condition of our own internal resources, but rather with the conviction that our means to meet any danger was consequent on our commercial relations with them, and liable to be interrupted by the interruption of peace. On this ground he would have objected to the noble Marquess's proposition; and even if no other motive existed, he would have considered this circumstance as sufficient reason for opposing any measure which attempted to apply a permanent remedy to an existing deficiency by means of simply altering our customs' duties. But he (Lord Beaumont) had higher grounds for objecting to raising the revenue from that source, namely, that by adopting such a course they must completely abandon the principle of protection. In this respect he must acknowledge that the late Government were consistent—when they proposed to alter the customs' duties they boldly abandoned the principle of protection. A tariff must be adjusted on one of two principles—either for the purpose of protection or revenue. They must either raise duties so high as to protect home produce from foreign competition, or relax them so low as to increase the revenue from them by an increase of consumption. The present Government did neither; they threw away protection, and yet did not attempt to increase the revenue by increasing the

foreign trade. They had adopted the bad part of the policy of their predecessors in office, without availing themselves of the counteracting good which accompanied it—that is to say, they threw away protection, and did not raise revenue by their alterations in the customs' duties tariff. But this was not all; for they not only abandoned protection, and neglected the opportunity of increasing the revenue from the customs, but actually added to the existing deficit, and thus increased the difficulty they were called upon to meet. There might have been reasonable expectations of supplying the deficiency in the revenue by the late Government's proposed alterations of the customs, and those expectations were naturally put forward as the grounds on which they argued the necessity of a change; but what was the course adopted by the present Government? They first made the deficit much greater than they found it, and then pleaded that deficit as a necessity for the imposition of an Income-tax. As had been clearly shown by the noble Marquess, they created the necessity of an Income-tax, and were themselves the authors of the evil, which, by its imposition, they expected to remove. But he (Lord Beaumont) would like to know on what data they calculated the actual loss the alterations of the customs was expected to inflict on the revenue, because, to all the questions put, either in their Lordships' House or elsewhere, as to the probable sum which would be derived from the diminished duties on corn, cattle, timber, &c., either the most contradictory answers had been given, or no answer at all. On one occasion they were told that it was as impossible to estimate the probable returns of the customs'-house, by considering the operations of the tariff, as it was to tell the name of a ship's captain by merely knowing the height of the vessel's mast, and the degree of longitude in which she was sailing. Again, when the agriculturists complained of the injury they would sustain by the importation of foreign cattle, they were told that no foreign calves had as yet been born, and no cattle could be brought in,—in fact, that the alteration of the tariff would make no difference; but when any person complained of the Income-tax, he was told that the price of meat, bread, and other agricultural produce would be so much reduced, that the weight of the Income-tax would be fully compensated for by the diminished expense of living. If the last answer was

true, fatal must be the effect upon the great agricultural interests of the country, for prices must be reduced to the amount of the tax paid by the consumers, and thus the whole of the additional burden would be defrayed by the land. The Government had often complained that the measures of their predecessors were merely experiments, but in this respect the present Ministers far outstript the former Government, for they not only made experiments in corn and timber, but in all the three or four hundred articles named in the new tariff. With respect to the limitation of time, he agreed in what had been so clearly stated and ably argued by the noble Marquess, that it was a fallacy to limit the duration of this tax to the term of three years, for what prospect had they of such an overflowing Exchequer at the end of three years as to entitle them to calculate on the repeal of it at the termination of that period? Did they rely on the increase of our commerce and the improvement of our trade with foreign countries? Did they look for an increase of our linen trade with France, or was it in America that they anticipated a more friendly tariff? Had Mr. Tyler improved on the commercial system of Mr. Clay, or had not Mr. Clay retreated rather than advanced in the march of free-trade principles. Had he not even gone so far as to assert, that free-trade was a chimera, and totally inapplicable to the civilised society of the United States. Neither in France or America could they therefore anticipate the abandonment of the present protecting duties, and the adoption of a more favourable tariff. To what country, then, did they look for this increase of trade. They would scarcely say to Russia, and he did not think they could expect much from the Prussian League in Germany. What was their trade with the emperor's dominions? In return for the hides, hemp, and tallow imported from Russia, they exported to that country so small a quantity of manufactured goods, that, in real value, the imports exceeded by an enormous sum the exports. Was it then in the Levant, on the shores of the Black Sea, or in the vast regions of Central Asia that they looked for an extension of their trade? Their power was dead in the East—they had no longer a paramount influence there. At the dictation of Russia the Dardanelles were closed against their steamships, in the Black Sea they had no flag—already the Russian name had gained the ascendancy

—sending her best generals to conquer Circassia, encircling the shores of the Euxine, and effacing our influence in Western Asia by the instrumentality of Persia. Was it then in Central Asia that they expected to extend their field of commercial enterprise? There they had, indeed, attempted to establish political relations, but with so little success, that the British name was hated throughout the land, and the British troops driven back beyond the frontier. They could not maintain political relations with those countries, and without political influence it was impossible to maintain any great commercial intercourse. Where then were they to derive the means which would enable the Government to abandon this tax at the end of three years? It could not be from the increase of revenue consequent on a great extension of their foreign trade. Was it, then, he would ask, from an anticipated diminution of the public expenditure? Had any one pointed out in what quarter or in what way further economy could be introduced into the public establishments? The army was already reduced to the lowest point proposed, and it was not safe, in the present state of European affairs, to put their navy on a less efficient footing. Had it not been clearly shown, that their ordinary expenditure must remain the same at the termination of the three years duration of the Income-tax as it was at the commencement of that period? And yet Government boasted that it would enable them to take off other taxes. So, indeed, it might, if the revenue from it exceeded the deficit now in the Exchequer, but if they availed themselves of the surplus to remove other taxes the first year, and even repeated the experiment the second year, what would be the consequence the third year, when, according to law, the Income-tax must cease, and the source of their surplus, as well as the source of a portion of their necessary revenue, would be suddenly cut off? They would be obliged to supply the deficiency by the re-imposition of the very taxes they had the two previous years taken off, or ask for a renewal and continuation of this: for, under no circumstances, could any plan of economy be suggested that would supply the loss which the termination of this tax would inevitably occasion. It was a mockery to talk of this tax as merely a temporary imposition, for having once raised the machinery necessary to carry it into effect, there was every inducement to

continue it, and as the noble Viscount lately at the head of her Majesty's Government, had candidly acknowledged, it was so effectual, and at the same time so easy an instrument in the hands of a Minister, that he doubted the willingness of any Government; that once experienced its advantages, to take it off. The noble Viscount had admirably descanted on the facilities it afforded to a minister, and he (Lord Beaumont) feared that the noble Viscount had read a lesson to those who knew well how to better the instruction. It was the duty of Government, at least to show on what grounds they calculated their ability, at the end of three years, to repeal the Income-tax, or what course they intended to pursue, if driven by outward pressure to adopt such a measure. They held out no hopes—they spoke of no chance of a diminished expenditure—no commissions were to be dropped—no offices to be destroyed, nor was there any prospect that local taxation would be so lightened as to enable the people to bear more easily the burdens of the State. Their legislation on the contrary tended to increase rather than diminish local expenses, as for instance, their lately adopted measure to limit the jurisdiction of justices which would swell the county rate by removing so many cases to assizes which now were tried at Sessions. In no way, therefore, could he discover any just grounds for the promise held out by Government, that they would, at the end of three years, take off this as well as other taxes, and he candidly confessed, that in giving his vote for this bill, he felt he was supporting not a temporary but a permanent tax. To the principle of that tax, however, he had not objected—he was willing to concede that it even had advantages. It caught all who could pay, the niggardly rich could not escape it, and it only weighed in proportion on the comparatively poor. It did not control expenditure, as the assessed and other taxes did, which often by taxing certain articles of luxury induced the wealthy to spend their money in other objects of fancy which had escaped the burden of a tax. A tax upon windows or upon houses, interfered with a healthy system of ventilation, and cramped the genius of architecture, while an Income-tax deducted so much from the spending capital of the individual, and left him to lay out the surplus in whatever manner he liked. To tax merely articles of luxury, was eventually to tax the labour which

produced them, and if they looked to the history of some other countries, they would find the misery which always followed the imposition of sumptuary laws. The noble Earl who spoke last, had said, that a portion of the expenses lately incurred were of a temporary nature, and did not require the enactment of a new tax, for being the mere consequences of our wars in the east, they ought, like all former war expenditure, to be met by a loan. But to this proposal he (Lord Beaumont) would never consent, nor would he be a party to any measure by which the expenses of our present proceedings in the east should be added by way of loan to the national debt. Had the wars alluded to, been wars of defence—wars to preserve either the country's independence, or the nation's honour wars such as that memorable war which had been brought to a glorious conclusion by the genius of the noble Duke now present—a war unparalleled in history, both for its glory and its importance—if such had been the nature of their present wars, he would then have allowed that posterity might have been justly taxed with the expenses incurred, for in such a war, not only we who live to-day, but our children, and our children's children, are deeply interested; and the Legislature would have a just right to leave to them, as a fair legacy, a portion of the expenses entailed on the country, because without such a war, neither they nor their children would have existed as a nation. But to compare a war like that—a war glorious in the annals of the country, with the wars in which this country was now engaged—to compare the late European war, to which he could not allude without emotion, because he was speaking in the presence of the greatest actor who performed in the greatest drama the world ever witnessed—to compare such a contest as that with what he would not hesitate to pronounce their unholy wars—their unconstitutional wars—their disastrous wars, now carried on without principle or success in Central Asia and in China—to make a comparison of this description was of all fallacies the grossest that ever was attempted to be sustained in argument. No; let us have done as soon as we can with such wars—let us, as the noble Duke said the other night, pay the bill, and efface it, if we can, from the volume of our country's history, this, the greatest blot that ever stained its pages. He would not follow the noble Earl into the currency question, but merely remark how hardly

the changes alluded to now pressed upon these landowners who had encumbered their estates in the time of a depreciated money, and were now called upon to pay all their burdens in a gold currency. After alluding to some other points, the noble Lord concluded by saying, that if his noble Friend had not forced the Corn-laws into his amendment, he might have been inclined to have supported him, but now he was left no choice but to vote with Government. The noble Marquess would not leave the Corn question alone, but by forcing it in every where, had destroyed the effect of his argument. If he voted for the amendment, he was voting against the Corn-laws; and though there was much he disliked in the manner in which the Government measure had been brought forward, he would support it as the least bad of the two propositions submitted to their choice. He had, however, felt it to be his duty to qualify his vote, and having done so by the observations he had made, it only remained for him to thank their Lordships for the patience and attention with which they had listened to him.

Lord Fitzgerald said, he was anxious to address to the House a few observations with reference to the measure then under their Lordships' consideration, as well as to the amendment which had been proposed by the noble Marquess opposite. He did not rise then particularly to reply to the speech of the noble Lord who had just resumed his seat—not that he felt any intense gratitude to the noble Lord for the vote which he had expressed his intention to give, or for the reasons which he had that night advanced for the course which he was about to pursue. After so many of their Lordships had addressed the House it might be considered wanting in respect, if he or some other noble Friend near him did not rise for the purpose of stating the reasons which had induced her Majesty's Government to prepare the measure then under discussion. He would first address himself to one or two observations which fell from the noble Lord who had last addressed their Lordships. If he (Lord Fitzgerald) were not previously disposed to support the measure of the Government, the speech of the noble Lord would have convinced him of the necessity of an Income-tax. The noble Lord told the House that even at the end of three years there was little hope that the Government would be able

so far to reduce the establishments of the country as to permit them to repeal the engagements which they had entered into for the repeal of this tax. But the tax had been proposed for three years for the purpose of affording the Parliament an opportunity of reviewing the whole financial state of the country, and he did not think it would be in the power of the present or of any other Government to withhold from Parliament the opportunity of making that review. The noble Lord had drawn a terrific picture of the state of our foreign relations, and had stated that he saw no prospect of such a state of things as would permit the repeal of the tax now proposed, and the noble Lord protested against the war in which this country was now engaged in the east. If in proposing this tax the Government had been found vindicating that war either in its origin or in its policy—if the present Government were responsible for the embarrassments in which the country was placed—then the arguments of the noble Lord might have been quite relevant in their application; but such was the case. Now, supposing the war in the east to be as the noble Lord characterised it—unholy, oppressive, and unjust—were the Government to neglect their duty? It was their duty to maintain the interest and the honour of the country, both in their internal as well as in their home policy; and he thought it would be unbecoming in Government, if at a time when they were called on to meet difficulties of this kind, they mixed up this question with party interests, or made any allusion to the circumstances which had produced the present necessity, except such allusions as they were called on to make to justify Parliament in submitting to the sacrifice proposed. The noble Lord further proceeded in his review of their foreign relations, and stated that he did not see anything in the state of their relations with the United States to lead him to believe that there would be any increase in our commercial resources or any improvement in our financial condition. He did not share in the despondency of the noble Lord on that point. He did not share in that despondency, and if he had he would have been slow to express anything like despair. Recollecting that the people of England and the people of the United States claimed a common origin, that they spoke the same language, that

they had similar institutions—all of which circumstances, far more than national interests, bound nations together—he felt some hesitation in assenting to the opinion of the noble Lord that there was no prospect of an improvement in the commercial relations of the two countries. He trusted that the long pending differences between the two countries would be speedily settled. He trusted that those differences would, by the moderation, good sense, and ability of the noble Lord who had undertaken the mission to the United States, be brought to a satisfactory conclusion; and judging even from the imperfect news which had recently been received in reference to the negotiation, he did think that the prospect was rather a more cheering one than that in which the noble Lord indulged. The noble Lord had also alluded to Russia; but what connection the fact of Russia having the command of the Dardanelles or of the Black Sea had with the Property-tax now under consideration, he was at a loss to conceive. The noble Lord also said, that he saw no prospect of the extension of our commerce with Asia. The noble Lord would, however, permit him to express a different opinion. He could not look to the restoration of peace in Central Asia without contemplating the extensive markets which would be opened up for the produce of this country. He saw in the opening of the navigation of the great rivers in Central Asia, the herald and harbinger of great commercial improvement, with all the advantages which would result to Asia from a commercial intercourse with a civilized country. He would now address himself to the speech of the noble Earl (Earl Stanhope). He would not undertake to reconcile the differences in the speeches of noble Lords on this question. It was not for him *tantas componere lites*—nor was it necessary for him to answer all those speeches, because each afforded the best answer to the other. But really he had not heard from the noble Earl any argument against the principle of the bill except that which all admitted, namely, that the tax was unequal, oppressive, and inquisitorial. These were strong objections, but against them he could only place the opinion of the noble Marquess opposite who moved the amendment, and who admitted that Government were bound to supply the deficiency, and to maintain the establishments of the country. So far, then, the

speech of the noble Marquess and that of the noble Earl might be allowed to pair off together. But in proposing this tax they were not bound to discuss every other proposal of taxation. The noble Earl near him (Earl Stanhope), who seemed to feel sorely the allusions made to provincial Chancellors of the Exchequer, stated that he was disposed to supply the annual deficiency of two millions and a half by a renewal of the house-tax, and by increasing the assessed taxes. He left that proposal to the public, and he would ask them to compare it with the proposition of the Government. He did not know whether the noble Lord proposed to restore those taxes to the extent they were repealed by Lord Althorp, or to their whole extent; but to whatever extent the noble Earl proposed to restore them, he would leave it to the public to judge whether it would be for their benefit if these taxes were re-imposed. The noble Earl said he could conceive no objection to such a tax—a tax free from objection was certainly a novelty, and the noble Earl proposed that a large class of the lower rented houses should be exempted from its operation, and that only the larger houses should be liable. But had it never occurred to the noble Earl, that there might be means of evading this tax? Had it never occurred to him that the larger proprietors might exempt themselves from the tax by shutting up their houses? The noble Earl would not do so; he was so much of a patriot that he would in such circumstances rather enlarge than diminish his establishment; but would others follow the noble Earl's example? He was afraid they would not, and he could not therefore consider such a tax altogether free from objection. He would now say a few words in answer to what had fallen from the noble Marquess opposite (the Marquess of Clanricarde). The noble Marquess was most eager and ardent the other night that this discussion should be adjourned, because, the noble Marquess said, he was anxious to discuss the principle and details of the bill, and because the discussion on Friday night had been confined exclusively to the resolutions proposed by the noble Marquess (the Marquess of Lansdowne) in reference to the financial proposals of the late Government. Now, he thought, and others thought, that a great part of that discussion was on the principle and on the details of the bill. The speech of

the noble Viscount, the head of the late Government, was exclusively directed to the principle of the bill; and he was glad that he had the sanction of the noble Viscount for a tax which he described as having been most unfairly treated and condemned as unjust, and as one which he himself was not prepared to say ought not to be resorted to. Excepting a single sentence at the conclusion of the noble Viscount's speech, not one word fell from him touching the resolutions proposed by the noble Marquess opposite, or in defence of the propositions which his own Government had brought forward. Such was the speech of the noble Viscount, and a great part of the speech of the noble and learned Lord (Lord Brougham), not now in the House, was directed, not only to the resolution of the noble Marquess, which he discussed at great length and with great power, but also the details and the principle of the bill. The noble Lord also stated that they were entitled to treat the bill as if it was in committee, and went into a long examination and reprobation of particular clauses of the act. His noble Friend (the Marquess of Clanricarde), notwithstanding he had expressed his great anxiety to discuss the principle of the bill, had to-night made a speech, three-fourths of which were applicable, not to that which he was anxious to discuss, but to the resolutions of the tariff, and to the commercial policy of the Government. He did not complain of that, and the noble Marquess was perfectly justified in saying that it was impossible to consider the two subjects separately. But did it not occur to the noble Lord that they were just as inseparable on Friday night as they were now. There were some other parts of his noble Friend's speech to which he now wished to draw the attention of their Lordships. His noble Friend, after having replied to the speech of the noble Viscount (Viscount Melbourne), applied himself to reply to a speech made by his noble Friend near him (the Earl of Ripon) on the other evening, and set out by saying that he was not opposed to the principle of this tax or its general policy. The noble Marquess, it was true, guarded himself against particular clauses and provisions of the tax, but made that general admission, provided the necessity existed for its establishment. The noble Marquess, however, contended that the necessity was not established, and charged the Government

with creating the necessity for a justification of the measure they had proposed. He afterwards explained the meaning of the words "creating the necessity" by stating that the Government had exaggerated the financial difficulties of the country, and called upon the country to provide for them as if they were unexaggerated. Now he would ask their Lordships, and every man who had attended to the debates on the subject, for it was impossible to say that the question now came before them for the first time, whether the financial difficulties had been exaggerated or not by the Government, whose duty it was to call the attention of the Legislature to this important matter? and in order to consider the question of exaggeration, he begged the House to look at the facts of the case. They found that in six years a growing deficiency had existed, and that in the course of these six years the deficiency had amounted to the sum of 10,000,000*l.* sterling, which had been added to the national debt in times which had been described by the noble Lord as times of profound peace; and times of peace they might certainly be called as compared with the days of those great struggles when recourse was had to similar financial measures. But they had not then, as now, a deficiency, at the end of six years, which amounted to the sum of 6,000,000*l.* to be added to the national debt, and a deficiency of 2,500,000*l.* still to be provided for. He knew not what was meant by creating a necessity, or overstating and exaggerating the deficiency. He thought it would be rather difficult to exaggerate it. He could conceive no state of things more precarious than the present, and nothing more likely to excite great public alarm, to affect the public credit of the country, or be more inconsistent with those high and resolute principles of financial administration on which this country in times of great difficulty had always acted. His noble Friend had not stated how he would supply this admitted deficiency—as, although he had called it an exaggerated deficiency, he did not mean to question the figures, or deny the truth of the deficiency as stated by the Government. He had not heard, with the exception of a recurrence to the proposition of last year, any alternative proposed; and it was an extraordinary thing that this measure, which the Government had proposed from a perfect conviction of the

deep financial difficulties in which the country was placed, had not only not been opposed on its introduction, but had remained unopposed for several days. Public attention was not called to it either by the public, Parliament, or the press. That part of the subject had been dwelt upon by the noble and learned Lord (Lord Brougham) on the former evening, and at the last stage which the bill had to pass through, it was charged on the Government that they had created the necessity on which they meant to found this tax, which was characterised as a mere pretence on the part of the Government, to get into their hands a convenient fiscal instrument to use hereafter, notwithstanding the assurances and pledges they had given to Parliament. It was a little remarkable, however, to observe, that the proposition when laid before Parliament did not receive that strong opposition which it now appeared to experience; for some of those who concurred in opinions with the noble Lord opposite, and with his Colleagues, might be found at different times and in other places vindicating the principle of a property-tax,—in fact, advocating that very measure which the noble Lord had denounced as so unequal, so inquisitorial, and so uncalled for. They were to be found advocating this very tax, not as a measure of taxation to cover any particular deficiency, or supplying any temporary necessity, but arguing for its expediency on the very grounds on which their successors now brought it forward. He could refer to the recorded opinion of Lord Althorp, when Chancellor of the Exchequer. The same opinion had been expressed by Mr. Poulett Thomson, when President of the Board of Trade. He also found, not certainly in a debate, but in a less perishable record—in a printed and published form—the opinion of the late Lord Congleton recorded more than once in favour of such a tax. The lamented noble Lord had advocated the tax as a sure means of relieving the working classes, and of lightening the burdens on the productive sources of national industry. Under these circumstances, he was surprised to find that so many noble Lords indulged in denunciations of this measure of her Majesty's Government at this moment, and more especially when he recollected that for a whole week no particular indignation had been exhibited, so as to lead to the inference that the proposition would be

treated with so much warmth as noble Lords now bestowed upon it. In stating the amount of the deficiency—an amount not disputed—which led to the expediency of the present measure, the question naturally embraced other branches of legislation, which mainly affected public credit. It was necessary not only to advert to the deficiency in our own revenue, but to allude to the deficiency in our Indian finances. He did not mean to say that, because of the embarrassed state of our finances in India, that it was necessary to propose a measure of relief which the noble Lord opposite had admitted was an economical and a certain source of revenue. He did not rest the necessity for this measure alone on the embarrassments of the Indian finances, but he felt that, in alluding to the subject of our financial situation, it was quite impossible to keep wholly out of view the embarrassments of so important a portion of our empire. He found that, in the year 1836, about the same period when the deficiency commenced in this country, that there was a net surplus available to the Government for the internal improvements of the empire of 1,500,000*l.* in the Indian finances. Now, without taking into account any increased expenditure owing to war and to the necessity for an augmentation of the military establishments, there at the present time existed, in place of a surplus of 1,500,000*l.* a deficiency of 2,500,000*l.* Now was it at a time like this, with 10,000,000 deficiency in six years, and 2,500,000*l.* of deficiency in the Indian revenue, was it now, he asked, under these circumstances, and in that place, that Government could be charged with exaggerating the financial difficulties of the country, and so presuming on this exaggeration as to make it a pretext for their present fiscal proposition? Did the House go with him, or with the noble Lord opposite, in the pictures which had been respectively drawn of the financial situation of the country? He thought it was not necessary, at least not desirable, and he should be the last man to wish such a thing to go so far, as to attempt to fix upon the late Administration the difficulties which the present Government had to contend with. But willing as he was to avoid this, and feeling the necessity for an examination into the exact state of affairs, he was bound to ask the House to look at the situation of the country when the Ministry



were called to office. Did he charge the noble Lord (Lord Monteagle), who, when Chancellor of the Exchequer, introduced a measure for the reduction of the postage, with having caused this deficiency; or did he impute the deficiency to the noble Lord on account of that measure? He knew, and his noble Friend would recollect, that when he introduced his proposition he gave notice to the House, that he would not, without first receiving a pledge that the deficiency caused by this speculation, if he might call it so, should be supplied—that, in fact, if Parliament refused to give this pledge he would decline to bring forward the proposition. At that time the deficiency in the revenue was somewhere about 800,000*l.* or 900,000*l.* His noble Friend did not attempt to conceal the position of the country at that time—he stated it manfully; but he contemplated an advantage from his proposed alteration in the postage which, in a financial point of view, had certainly not been realised. His noble Friend had, in fact, been coerced into the measure by the force of public opinion, and by a combination of parties which left him but little alternative. Add the loss from the Post-office to the deficiency then existing, and then see how near they came to the present deficiency. The net revenue from postage, including foreign and inland, was about 1,500,000*l.* [Lord Monteagle: Very near 1,700,000*l.*] Then, if this sum, 1,700,000*l.* were added to the deficiency in 1836 of 900,000*l.*, the sum total would exactly account for the present deficiency. It had been said that the Post-office still yielded 400,000*l.* to the revenue, but the noble Lord opposite knew better. The packet establishment cost 400,000*l.*, so in fact there was no revenue whatever derived from the Post-office. He considered that the question as to the policy of a revenue from the Post-office was gone by. It was admitted that it might be used as a source of revenue, but it was contended that revenue ought not to be the first object. But he would leave that question, and come to the circumstances under which his noble Friend had introduced his resolution relative to the penny-postage, and the distinct assurance he required from Parliament to supply the deficiency. Would the noble Lord oppose the Government when they were attempting to supply the present deficiency? would he not rather give them his support when about to

supply that deficiency, which if he were now in office he would not allow his pledge to sleep, but he would make it his duty to call on Parliament to supply the deficiency? The noble Lord ought not, and could not, have permitted his pledge to sleep when the deficiency occurred, for to attempt to compensate it by a recurrence to the old rates of postage would be impossible, and, if possible, ought not to be attempted. He said the country would willingly allow the alteration. He himself was desirous that the experiment should have a fair, and he would add, a successful trial. Now, with respect to other points urged against the tax, he dissented from that one which gave the preference to the financial policy of the late Administration. He was of opinion, that in the course of three years, if both systems could be in operation, that the preference would be given to the propositions of the present Government; and he founded his opinion on the spirit with which the Government proposals had been received. He did not wish to use too strong a term; but, judging from the sentiments which appeared to prevail, he was of opinion that the public had given the proposition its support. He did not find any very strong manifestations of adverse public feeling. He found no strong or insuperable objections to the scheme either in the debates or the votes in Parliament—he found that the whole number of petitions presented to Parliament on the subject against the tax was 130, having 9,000 signatures. He found that after the tax had been proposed, after the time had been afforded by the recess for its thorough consideration, after the House of Commons had relaxed a rule—he rejoiced at the circumstance—which prohibited petitions from being received on any subject relating to taxation when under discussion—he found that the whole number of petitions presented to the House of Commons against the tax was 130. Now he was willing to admit that the petitions had not been got up as some petitions were, but that they truly represented the sentiments of the petitioners, and that the signatures were *bond fide* signatures; yet as he had personally examined some of the signatures he could not help remarking that if the writers really possessed all the comforts which 150*l.* a year, or above, was calculated to afford, that their education could not have been carefully attended to. He had se-

lected a few of the petitions of those who objected not to the principle of a Property-tax, but to particular parts. He found the sensibility of these petitioners only excited when the tax affected themselves. This was all the opposition which the tax met with. The whole number of petitions against the tax was 130. Such was the feeling of the people towards a tax which had that night been denounced by his noble Friend near him (Earl Stanhope), and by the noble Lords opposite, as one so monstrous in its character, so fatal in its consequences, so subversive of every right of Englishmen, so interfering with the liberty of every man, so affecting public credit, that it ought not to be entertained for an hour, but to be repudiated at once by the House, even though the only alternative left should be to adopt the financial scheme of his noble Friend near him. But when he thus adverted to the comparative absence of petitions upon this subject, let it not be supposed that he or any man connected with the Government endeavoured to defend the proposition upon the ground of its being acceptable to the people. He did no such thing. He denied not the inconvenience of its inquisitorial character. He denied not the inequality of its operation. He lamented the manner in which it fell upon property of different descriptions—upon property that was permanent, and upon property that was not permanent. He lamented the necessity for extending it to professions and trades upon the same scale as it was applied to permanent and solid income. Let it not be supposed that he endeavoured to defend these inconveniences and inequalities. But he believed that the people of this country, although aware of these evils, were still reconciled to bear the infliction of them, on account of the public exigency which pressed upon the State. He believed that the first feeling of the public of this country was the necessity of maintaining the public credit of England. He believed that the first principle of an Englishman in public matters, as well as in private affairs, was to maintain the inviolability of his word and his faith. He believed that as long as that was the animating principle of the public of this country, they would be reconciled to greater inconveniences, greater hardships, and greater inequalities than any that would be imposed by this tax; knowing, as they did, that there was

no tax that could by possibility be proposed, the operation of which would not, in some respects, be unequal. To say that a tax was an unequal tax was only to state that which was an objection to all taxation. He purposely passed by the arguments advanced by the noble Marquess (the Marquess of Clanricarde) upon the subjects of sugar and coffee, conceiving that they applied rather to the debate of the other evening than to the question then under the consideration of the House. The short answer to these arguments was, that there was no parallel between the cultivation of sugar and coffee. If nothing but coffee were produced in Cuba and Brazil there would be no necessity for the importation of a single additional slave into those countries; but increase the demand for their sugar, and it was impossible to say that the horrors of the slave-trade would not be revived to an extent at which humanity shuddered. He came now to that part of his noble Friend's argument which related to the exemption of Ireland from the Property-tax. He could not share with his noble Friend in the regrets he had expressed upon that point. He believed that there never had been an occasion in which the interference of Parliament for the exemption of Ireland from a tax of this nature had been hailed with greater satisfaction than the present. It was to be remarked that the exemption of Ireland applied only to a particular tax—it was not a general exemption. The amount of tax which Ireland would pay for income derived from land, or for other income derived from sources described in the schedules of the bill, would not, in fact amount to so much as the estimated produce of the other taxes to which she was to be subjected. And under what circumstances did Ireland escape this exemption from the Property-tax? The Legislature was precluded, by the provisions of the Act of Union, from laying any tax upon Ireland which was not imposed upon Great Britain, or from levying a higher duty upon any article in Ireland than was imposed upon the same article in Great Britain. There remained then, for any financial operation in Ireland, only those subjects of taxation which were liable to tax in this country. The state of Ireland, the condition of her society, the circumstances in which she was placed, rendered her peculiarly unfit for the application of an Income-tax. Such being the

case, he would ask, where there were sources of taxation yielding revenue in this country, but as yet untouched in Ireland—and where there was the choice of means by which the supply of revenue from Ireland should be contributed—whether it were a blame to the Government that they had considered the social and political circumstances by which that country was so remarkably distinguished from England—whether it was a blame to the Government that, instead of requiring a Property-tax which Ireland had never paid, they had resorted to those unexhausted sources of taxation which, yielding revenue in this country, were properly subject to the operation of fiscal laws in Ireland? He believed that Government had acted rightly and prudently in this respect, and that they would have acted neither with wisdom nor prudence if they had attempted to create in Ireland a new machinery for the collection of a tax to which that country had never yet been subject. He thought that his noble Friend's argument to have justice done to Ireland in respect to the Income-tax would not be responded to in that country. There were many points in the speech of his noble Friend, and in the speeches of other noble Lords delivered on that and the former occasion, to which he should be unwilling under any circumstances to advert in detail, but he really thought at present their Lordships would rather complain if he led them now into a repetition of the arguments which had been adduced in reply, or if he prolonged the debate in a manner which he himself thought would be unnecessary. He should, therefore, not trespass longer upon their attention. He thanked them for the indulgence he had received in the course of the observations he had felt it his duty to address to their Lordships on the part of the Government who had presented this proposition to them, and he would not delay them from coming to the vote which he anticipated they would deliver. He believed that decision would be to affirm by a great majority their approbation of the course pursued by the Government. He knew not whether that was doubted, but if it was, then with great confidence he declared he believed the result of their discussions would be an expression of approbation by a great majority of their Lordships in favour of the proposition of the Government. They had made that

proposition in the confidence that it would receive such approbation. They had made it in the belief, in which they had not been disappointed, that the country would receive without repugnance the measure which was now submitted to their Lordships for their assent. They had made it in the belief and the confidence—which had been confirmed by the result—that it would receive the approbation also of a large majority of the representatives of the people in the other House of Parliament. They had believed, and they still believed, that in the difficulties of the country—in the face of augmenting difficulties—with large establishments to sustain, and with the prospect, perhaps, of augmented establishments—they still believed that the country would rather support those who presented to it what had been called by one of their political opponents an honest and a bold measure, rather than those who would propose what had been called the speculative chance of a revenue, or transitory or uncertain schemes of temporary finance. He would not believe that in that House, where their Lordships enjoyed hereditary rents, and which comprised so large a proportion of those who inherited great possessions—he would not believe that the appeal which had been made to the possessors of that property would not be responded to in a satisfactory manner. He had perfect confidence, that in the same spirit with which our ancestors had acted in times of greater difficulty, and which called for greater sacrifices, but still times of financial difficulty, their Lordships would not shrink from the duty which was imposed upon them by the present circumstances of the country, but would affirm by their votes a measure which had received the sanction of so large a majority of the representatives of the people.

Lord *Monteagle* having been personally alluded to in the course of the debate, hoped to be pardoned if he took the opportunity of explaining the views which he took of the question under consideration. He frankly admitted the pledge which he had forced upon the other House of Parliament at the time of the reduction of the postage duties. By that pledge he acknowledged himself bound. In the spirit of that pledge he was prepared to act. Even independent of that pledge, he should conceive himself bound to assist, by all just means, in making up the difference

between the income and expenditure of the country. But surely his noble Friend would not contend, that because he had given such a pledge, he was therefore bound to give his assent to the general proposition now under the consideration of the House. Surely his noble Friend would not contend that because he had been a party to the reduction of a particular tax to the extent of 1,200,000*l.*, therefore he was to be a party to the imposition of another tax to the extent of 4,000,000*l.* a-year. The proposal for the imposition of a tax upon property was not new—it had been submitted to Parliament as a substitute for other taxes year after year—it had been advanced with much pertinacity, and advocated with much ingenuity; but he had always been opposed to it, and had always resisted it. When his noble Friend (Lord Fitzgerald) adverted to the revenue formerly derived from the Post-office, and stated that the whole of the revenue had disappeared, his noble Friend was labouring under a very great mistake. The expense of the packet service, which was said to swallow up the whole of the revenue now derived from the Post-office, had no more to do with the penny postage than the expense of the war in Afghanistan or China. It was as distinct from the Post-office as the expense of the army or navy. The great packet communication between Great Britain and the British North American colonies was undertaken upon much higher principles than any connected with mere considerations of revenue. It was felt by the Government of Lord Melbourne, that it was not wise to allow the only rapid mode of communication between the British possessions in North America and the mother country to be dependent upon the means afforded by the United States. Means were accordingly taken to establish a line of communication of our own. He admitted, that this was not done except at a very heavy expense; but it was not right to place that expense to the account of the Post-office. His noble Friend (Lord Fitzgerald), not venturing to say, that the Property-tax was a popular proposition, yet insinuated, from the smallness of the number of petitions that had been presented against it, that it was not so unpalatable to the country as its opponents in the Legislature would have their Lordships believe. But let his noble Friend look

back to the experience of the year 1806, and judge from the public opinion then expressed, what the popular expression of feeling might next year be. Let him remember what were the complaints in 1806, when the Property-tax had actually come into operation—when the Property-tax was understood—when its unequal pressure upon certain interests was felt—when men were really suffering from its operation. His noble Friend might depend upon it, that at the end of another year, it would not be in his power to found a defence of the Property-tax upon the ground of the smallness of the number of petitions presented against it. But why had the number of petitions been so few? This question opened a serious chapter in its history. He concurred with his noble Friend in thinking, that the exemptions from the operation of the Income-tax were made in the wrong direction; Ministers exempted certain classes of persons in respect to the amount of their income, and refused to exempt classes of persons by reason of the nature of their income. By this mode of exemption they swept away a larger amount of taxable property than was ever before exempted from the imposition of an Income-tax, while, at the same time, they brought within the network of their tax several descriptions of property which hitherto had never been subject to such an impost. He lamented, nay, he almost blushed, to say, that it included the property of foreigners, which, up to this period, had never been touched. Looking at the number and the class of persons exempted from the tax, and who, by that exemption, would enjoy almost an immunity from any taxation whatever, he must say, that never, within his experience, had so great an inducement, so great a bribe been held out by a Government to secure the silence and the acquiescence, if not the entire support of a large portion of the community. He would take the liberty of briefly stating to what extent the exemptions would extend. A short time since he had moved for a paper now upon their Lordships' Table, showing the number of persons receiving dividends for stock and annuities. From that paper, it appeared, that there were 282,326 dividend warrants issued annually. How many of these did their Lordships suppose exceeded 150*l.*? Only 13,968. Out of the 282,326 to whom dividends were paid out of the public funds, there were only 13,968

whose incomes exceeded 150*l.* a-year. What wonder, then, that there should be an absence of petitions? In 1801 the exemption was limited to income under 60*l.* a-year. At that time the assessable property in the kingdom was estimated at 80,600,000*l.* By the nearest calculation he could make, the persons included in that assessment holding property between the two fixed amounts of 60*l.* and 150*l.*, were, in fact, the possessors of 20,000,000*l.*, or one-fourth of the whole of the assessable property of the kingdom. The exemption, under the present bill, of so large a portion of the community, naturally accounted for the silence to which his noble Friend had adverted with so much apparent satisfaction. In the course of the debate many authorities had been cited against the view which he took of this question. He had been asked how he and his noble Friends who thought with him could make up their minds to take a course which was opposed to the authority of some of the greatest names of their own party? The authority of the late Lord Sydenham and of the late Lord Congleton had been referred to as very favourable to the imposition of an income-tax. He would appeal to an authority who was now living—he would refer to the authority of that venerable nobleman who was at the head of the Government of this country when the momentous war in which the country had been some years engaged ceased, and who came down to the other House and asked for the immediate repeal of this tax. He alluded to Lord Sidmouth, who, at the conclusion of the peace in 1802, then stated that nothing should induce him to recommend the continuance of the Property-tax after the war had ceased. Lord Sidmouth said,

“It is my intention to propose a repeal of the tax on income. I am desirous that the sentiments I entertain towards that measure be perfectly understood. As a war-tax I am persuaded that it was a legitimate source of revenue; but I have ever considered it in no other light than a war-tax, inapplicable to a time of peace.”

And again Lord Sidmouth said, on the 5th of April, 1802—

“I recommend that the burden of the Income-tax should not be allowed to rest on the shoulders of the public in time of peace, because it should be reserved for the important occasions which he trusted would not soon recur. He thought it worthy of the credit and the character of the country to look for-

ward to such a resource in the fearful event of being obliged to struggle for our honour and independence.”

He then proposed to substitute new taxes to the amount of 4,000,000*l.* on malt, hops, and beer. That venerable nobleman then stated, that he thought any tax in time of peace was better than a Property-tax. Such were his opinions now. This was not the only opinion that he could quote in support of his argument. He could refer to the opinion of one who took an active part in the debates on this tax in 1816. He found at that period Lord Ashburton thus described this tax:—

“Lord Ashburton said, all the good he could say of the Property-tax was, that it was dead, for all the opprobrious epithets heaped upon it seemed only to come up to its deserts. He would rather be summoned before a bench of bishops to be questioned on points of doctrine, than appear before the tax commissioners to give an account of his goods and chattels.”

He would appeal, then, to the opinion of Lord Ashburton, who at that time was the most eminent merchant in Europe. He then used the playful expressions which he had quoted, because the tax had then been repealed; but their Lordships might depend upon it if the tax had been continued he would have used much stronger and harsher language on the subject. But it might be said that these were by-gone instances; but he would take the liberty of adverting to an authority which had been referred to by his noble Friend opposite, and to whom his noble Friend might look up with more confidence, but certainly not with greater respect than he did. When a proposition was made in 1833 for a repeal of the malt-tax and the introduction of a Property-tax, the right hon. Gentleman to whom he alluded said,

“He thought that the noble Lord had done well in not proposing an income or Property-tax. Nothing but a case of extreme necessity could justify Parliament in subjecting the people of this country in a time of peace to the inquisitorial process which must be resorted to in order to render that impost productive, and to have recourse to such machinery for the purpose of raising 2 or 3 per cent., would be most unwise. . . . With respect to a tax on property, as distinguished from a tax on income, he very much doubted whether it would promote the interest of the labouring classes, because it would diminish the funds at present appropriated to the encouragement of industry and the promotion of labour, and it would ul-

timately he found that the tax did not affect the person who paid it so much as the labourer, by diminishing his means of employment. The application of the tax to Ireland would be attended with extreme difficulty. He really believed that this circumstance formed the main obstacle to the establishment of the tax. It could hardly be contended that if a Property-tax were established, Ireland should be exempted from its operation. He wished to see Ireland as much favoured as possible, consistent with justice. But to impose a Property-tax on England and Scotland, and to exempt Ireland from its operation, would, in his opinion, however unpopular that opinion might be, be exceedingly unjust."

There was a surplus revenue then, but the argument would not be affected on that account, as he would show presently. They then came to the year 1840—the lamentable year 1840—when his misdeeds produced, according to the allegations of some, such an immense deficiency. In that year a proposition was made to meet the deficiency that existed, and his right hon. Friend the then Chancellor of the Exchequer did not propose a Property-tax for that purpose, nor was it done by authorities on the other side to whom he could refer. His noble Friend opposite would see, on referring to the case, that in those days of deficiency such a proposition or such a plan did not exist in the minds of persons well qualified to judge on this subject, who declared that a Property-tax, levied for the purpose of making up a deficiency of two or three millions, would be unjust. On the occasion to which he referred Sir Robert Peel said,

"There being about 2,500,000*l.* to be raised, to attempt to raise that small sum by a Property-tax, or a tax on general consumption, would not be advisable, and therefore, on the whole, he gave the preference to the plan of the right hon. the Chancellor of the Exchequer."

Now, this authority against raising so small a revenue from such a source of income, the noble Lord was aware, was the present First Lord of the Treasury. He did not mention this in an invidious manner, nor did he intend to do more so than in referring to the opinions of Lord Spencer, Lord Congleton, or Lord Sydenham. He did not, however, believe that these authorities would have small weight with their Lordships. He, however, would take the liberty of saying that the circumstances which had produced this deficiency in the revenue had no reference whatever

to it. He believed that there was no cause of complaint as to there being a falling off in the resources of the country. But what were the grievances gone over in the review that had been made of the recent financial measures of this country. So far from complaining of the mode in which they had been dealt with, he would at once say that he believed that they had been treated in a liberal and candid spirit, but still there was one and a prominent fallacy put forward, of which he had a right to complain—namely, when it was so constantly said that there was a deficiency of 10,000,000*l.* to deal with. He would appeal to the House, when he had shown what were really the facts of the case, whether this was a just ground to ask the country to submit to the imposition of the Income-tax. The truth was, that in the present case they had only to deal with the deficiency of the year, for the past deficiencies had already been supplied, and made up by finance means. If noble Lords would look to papers on the Table they would find many instances of deficient revenue in years previous to the present Government coming into office. For instance, in the year 1826, he found a deficiency of 645,000*l.*, and in 1827, a deficiency of 826,000*l.* In subsequent years, he found the following to be the state of the surplus and deficiency:—

**SURPLUS AND DEFICIENCY FROM 1831 to 1841.**

	Surplus.	Deficiency.
	£.	£.
1831		698,857
1832 ..	614,000	
1833 ..	1,513,000	
1834 ..	1,608,000	
1835 ..	1,620,000	
1836 ..	2,130,000	
1837 ..		655,000
1838 ..		345,000
1839 ..		1,512,000
1840 ..		1,593,000
1841 ..		2,101,000

Excess of income over expenditure } 2,685,000  
in ten years, from 1831 to 1840 }  
Or in eleven years, to January, 1842 584,000

It appeared, then, that in the course of three years, there was as much deficiency to provide for as they now were called upon in the present year to make up by

means of an Income-tax. He was quite willing to strike a balance with his noble Friend opposite on this point. He believed that he had shown that the danger of the country, in consequence of our financial embarrassments, had been erroneously described to be most alarming. And if he had shown that this embarrassment had been exaggerated he had shown that they were not justified in imposing an Income-tax. It was apparent from the statement which he had made, that from the year 1833 to 1841, there had been repeatedly a deficient revenue, but this had not arisen from the falling off in the former revenue, but from the great, and he would say, wise reduction, that had been made in taxation by the Government, of which the noble Duke opposite was the head. That reduction had amounted to upwards of 3,000,000*l.* a year, and the greatest deficiency in any year, from 1831 to 1841, had been only 2,600,000*l.* The result, no doubt, of this, and the subsequent reduction in taxation that had been made, undoubtedly was, that during this period, the Government had not paid off so much of the debt as might appear to some to be expedient, but taking the whole income for the time he had just stated, there would be a surplus as compared with the whole of the deficiency. It had been said, for the purpose of argument, that the Government had been driven to the Income-tax because all other sources of taxation had been exhausted. Do not let that sound go forth to the enemies of your country. If a Minister of the Crown said, that he had exhausted all the financial resources of the country, and that he could not with expectation of success resort to the Excise, or the Customs, or the stamps, or the assessed taxes, he would say that never was there such a groundless and unfounded declaration made. He trusted in God that there was not an enemy of England to hear such a declaration from a Minister of England, that he could not raise further supplies by the common means of taxation in this country, for all that could be procured from these sources had been already raised; and that therefore, it became necessary to resort to direct taxation. And how had this been resorted to, after what had taken place in this country, and which must be known to every one? Was the great growth of capital that had taken place within these last few years to be entirely

overlooked. Was it to be forgotten that they had repealed 40,000,000*l.* of taxes since 1815; and were they now to be told that there were no means of restoring public credit but by resorting to a Property-tax? There was, he asserted, no ground for believing that the statement that he had alluded to could at all justify the resorting to such a step. But it should also be recollected that the circumstances which led to our financial deficiencies arose from causes with which, he was sure, that neither their Lordships nor the country would quarrel. He would quote, as clearly as he could, the details which involved a matter of figures—he was aware that it might be tedious, but, as he was dealing with the credit of the country, he trusted that the House would give him its attention. He considered it to be the duty of every Member of their Lordships' House to state fairly the facts of the case, and, in doing so, he thought that he could show that we were in a situation to meet our difficulties with a light heart. If he could succeed in making out this case, he was sure that their Lordships would not think that he had occupied too much of their time. During the interval of time which he had referred to a few months ago, several mighty financial operations were undertaken, and when they talked of a deficiency in their finances, they should recollect that it was not altogether attributable to the falling off in the revenue, or to the increase of our expenditure. He asserted that the income of this country had not fallen off, but had sustained itself. Taking, then, the period which he had previously alluded to, namely, from 1831 to 1841, it would be found that the income of the country had sustained itself, although there undoubtedly had been some increase of expenditure. It should be remembered, in the first place, that during this period they had added to the national debt not less than 20,000,000*l.* for the purpose of getting rid of the curse of slavery in our colonies. You had added by this means a sum which was more than the amount of the deficiency. By another financial operation also, with which his noble Friend (the Earl of Ripon) was perfectly conversant, but which might have escaped the attention of other noble Lords, an addition had been made to our expenditure. During the period, then, which he had just mentioned, there had been a gradual and increasing change of the per-

manent debt into terminable annuities. This he considered a sensible and most just mode of reducing the burden of our debt. This system had gone on increasing from year to year to the present time; but just as much as it had gone on increasing, it held out the prospect of an ultimate falling off. Compare the state of the debt in 1831 and 1841, and it would be found that there had been an increase in the charge, in consequence of the transference of permanent into terminable annuities, to no less an amount than 782,000*l.* a year. Could this charge be put down under the head of a financial deficiency, when the charge was incurred for the purpose of resorting to the safest and best means of reducing the national debt? He had mentioned this additional charge, excluding the loan for the abolition of slavery, and only taking into account the transference of the present debt into life annuities. But over and above all this charge there had, taking the average of years from 1828 to 1831, been an annual surplus of 142,000*l.* The following, he believed, would be a tolerably accurate account of the state of our debt, regarding it in the which light he had just pointed out:—

COMPARATIVE STATE OF DEBT IN 1828,  
1831, 1841

	Funded Unredeemed	Annuities.	Total Charge Unredeemed Debt.
January 5, 1828 ....	777,476,000	2,610,000	28,389,000
1831 ....	737,486,000	3,297,000	27,674,000
1841 ....	766,371,000	4,114,000	28,556,000
Excess of 1841 ....	9,000,000	817,000	372,000

The same account, 'excluding  
Slave Loan ..... £20,000,000

£691,000 Interest.  
101,000 Long Annuity.  
£732,000

5th January, 1828..	777,476,000	2,610,000	28,389,000
1831..	737,486,000	3,297,000	27,674,000
1841..	746,200,000	4,012,000	27,816,000
	11,000,000 less.	1,285,000 more.	142,000 more.

The same Account, converting Terminable into Perpetual  
Annuities, and excluding Slave Loan.

January 5, 1828....	822,000,000	.....	27,366,000
January 5, 1831....	811,000,000	.....	26,258,000
January 5, 1841....	793,000,000	.....	25,464,000
Diminution in 1841 below 1831.....	18,000,000	Annual Charge..	794,000
Diminution in 1841 below 1828.....	29,000,000	Annual Charge..	1,901,000

FUNDED AND UNFUNDED DEBT, AND CON-  
VERTING TERMINABLE INTO PERPETUAL  
ANNUITIES.

1828..	850,325,000	.....	28,201,000
1831..	838,549,000	.....	26,880,000
1841..	837,521,000	(including slave loan)	26,909,000
1841..	815,927,000	(excluding slave loan)	26,225,000
Diminution from } 1831 to 1841 }	1,028,000	Increased charge	£29,000
After providing for slave loan of £20,000,000.			

This, he thought was a species of expense of which the country had no right to complain. Undoubtedly the slave-loan must be considered a charge, but the other, if additional charge it could be called, was one which must end in the diminution of the amount of the debt. If his noble Friend would call for the returns of the terminable annuities that would fall in between this time and 1860, he would see what a great falling off in the amount of charge would take place at that time. At present the state of the matter, as compared with 1831, was as follows:—

PERPETUAL AND TERMINABLE ANNUITIES  
COMPARED.

1831—Terminable annuities...	£3,297,000
Equivalent in perpetual } annuities.....	1,882,000
Excess of annual charge.	£1,415,000
1841—Terminable annuities...	£4,114,000
Equivalent in perpetual } annuities.....	1,710,000
Excess of annual charge.	£2,404,000

Excess of annual charge in 1831	£1,415,000
Excess of annual charge in 1841	2,404,000

Increased annual charge in 1841.. £909,000

In addition to this there had also been a great reduction in the unfunded debt. He had to apologize to the House for troubling it with these details, but, in taking into account the amount of the deficiency, as it was called, it was necessary to do so, to show that this financial deficiency was not so great as it had been described. He must now proceed to refer to the savings' banks, because his noble Friend on the opposite side of the House, in the observations which he had made on the subject, altogether misapprehended the matter. On a former occasion when this subject was under discussion he had taken no part in the debate, but he would now endeavour to explain what had taken



place in the financial arrangement which had been so much adverted to. The acts of Parliament respecting savings' banks expressly provided with respect to the deposits and interest, and as to the mode in which they should be invested. The funds from the savings' banks might be invested, at the pleasure of the commissioners, either in the funded or the unfunded debt. The commissioners also had power under the recent act to direct that the money belonging to savings' banks, invested in Exchequer-bills, might be funded in stock. The clauses of the two acts were as follows :—

"Savings' Banks, act 9, Geo. 4th, c. 92, sec. 15. The said commissioners of the national debt shall cause all the monies paid into the Banks of England and Ireland to be invested from time to time in the purchase of bank annuities, or Exchequer-bills; and the interest which shall arise from time to time, and become due thereon, shall in like manner be invested in the purchase of Government annuities, or Exchequer-bills. Sec. 50. The said commissioners are empowered to lay out the whole or any part of the monies standing in their names in the purchase of Exchequer bills held by the Bank, or by the public; and the commissioners shall be entitled to receive for any such sums laid out by them in Exchequer-bills such an amount of 3 per cents. consols, or reduced, as the same sums would have produced if laid out at the quarterly average price. Sec. 51. Certificate of Treasury; 52. Annuities chargeable on consolidated fund; 53. Exchequer bills to be cancelled; 54. Stock may be sold for purchase of Exchequer bills. 5 Vict., sess. 2, c. 9, sec. 1: And whereas a large amount of the Exchequer bills so outstanding are now held by the commissioners for the reduction of the national debt, on account of savings' banks, and may be funded under the provisions of an act passed in the 9th Geo. 4th, c. 92, and it is unnecessary to make provisions for paying off the same."

This was a power which could not be abused; for, independent of efficient checks, a return stating all the circumstances of each transaction of this kind was laid before Parliament every Session. He believed that there was nothing in the state of the debt to lead to alarm. As for the alleged 10,000,000*l.* deficiency, it was a mere bubble, about which, at the same time, much had been and much might be said in the course of debate. He thought, therefore, that he had shown that there was nothing in the present state of things which called for this extreme measure; and, above all, that it was not the only *measure* that could be resorted to, to sup-

ply the deficiency. His first proposition was, that our financial situation was not quite so bad as it had been represented; and, in the second place, he would endeavour to show that the Income-tax was not quite so good as it had been described by his noble Friend. Nothing, in his mind, could be so preposterous as to tax men in equal degree who received the same amount of annuity from a terminable as from a permanent source. Again, there was a portion of England where large farms were common. For instance, in Northumberland, where the farms were of great size, and where they would be taxed; but these in many parts of England would entirely escape. Would not one of the operations of this tax then be, to lead to the divisions of these large farms with the view to avoid taxation, and thus drive capital into channels where it would not otherwise flow? Was it an immaterial matter, he would ask, to interfere in this way with such an important class as the tenantry of this country. It might appear very paradoxical, but he felt in these evils some consolation, for from the existence of these evils, he derived the best hopes of getting rid of the tax altogether. He recollected his late noble Friend, Lord Congleton, often used to say, that when a law was brought forward to interfere with the public liberty, he would rather have it above the mark than below it, for if it interfered with constitutional rights, the sooner they were likely to get rid of it. He thought, therefore, that after a short experience, the injustice, the absurdity, and all the other faults of the Income-tax would operate as so many inducements to make it go to the place where all bad laws ultimately went. This was a measure that should only be resorted to at a period of national conflict, when the enemies were at our gates, or what was much better—as the noble Duke well knew was the better way to carry on war—when we went to attack the enemy at his own gates. The noble Lord had made some allusions to the want of opposition to the tax, but he would tell the noble Lord that he might depend upon it that it was not quite so unpopular as it was likely to be when persons were called upon to pay it. Having excepted, as he had shown, a large portion of the population from the payment of the tax, it was supposed that a great deal of the opposition of the tax would be

got rid of. It was asserted by persons connected with the Chartists out of doors, that the object of the Legislature should be to make the wealthy contribute in all cases to the exigencies of the State. Now he recollected in the House of Commons, a few years ago, a gentleman well known, who was supposed to represent these extreme opinions—he meant the late Mr. Hunt. That gentleman said one sentence which completely dispelled this fallacy. He said, that to raise millions, you must tax millions. The present bill, however, was to tax the few, and was to relieve the millions. His noble Friend opposite, who was a Member of Lord Grey's Government, must recollect the difficulties they had to contend with at that period with respect to some direct taxes. The argument of the noble Duke went to the extent of saying, that if there was any surplus from this tax, it might be devoted to the removal of taxes which were unpopular. He would ask, whether public credit should be allowed to act on this point. He objected, above all, to the moral effect of this tax. If all other objections were obviated, the frauds and evasions which it gave rise to, must make it a most objectionable impost. It would operate as a bounty in many instances to the commission of frauds, and it would hold out a premium to men to act against their consciences. On this point, he would appeal to a work written by a valuable public servant, he meant the late Mr. Lowry, the former comptroller of the property-tax. That gentleman stated, that the frauds and evasions in that tax under the head of lands and houses, amounted to one-seventh. This was a most important item, for it was not possible to conceal either lands or houses, and the evasions there could only take place on the value, and not on the substance. He now came to another description of property, he alluded to the public funds. They had the assistance of the Bank in getting their returns before it paid dividends, but still Mr. Lowry showed, that the evasions made amounted to from  $\frac{1}{4}$  to 1-5th. With respect to the class of profits and professions, he should like to know how they could get an accurate return of them. The deductions under this head must necessarily be enormous, and the gentleman he had alluded to put the evasions down as one half. By the return of the receipts under the property-tax, from 1803 to

1814, it appeared, that in the first year, the amount assessed was 75 3-5ths millions, and in the last year, 1814, not less than 132 $\frac{1}{4}$  millions. Fraud, to a great extent, was found in all these returns, and that showed their Lordships that the tax brought forward by her Majesty's Government as a means of preserving the credit of the country would do more to destroy the public character and the public faith than any other measure which could be suggested. When the property-tax was proposed, at a former period, there was a war and a depreciated currency, which gave some degree of prosperity to trade, but now this was not so, and such a tax would be doubly mischievous. It was said, that it was a tax which affected the holder of property, whether he remained in this country or went abroad; but what if he took his property with him? Did it not afford him a premium for doing that, and making the most he could of his wealth in another land. When the Income-tax was formerly imposed, there was a depreciating currency and war, which increased consumption, and produced prosperity in some degree; this was not now the case. They were driving at the opposite side of the wedge. Formerly, the capitalist could not escape the tax; now, he might go away and take his property with him. Formerly, there was no public credit in other countries, nor any manufacturing prosperity. It was not so now. If they took the manufacture of stockings, for instance, at Nottingham and its vicinity; that was a branch of manufacture in which foreign competition was great, and the stocking manufacturers of Saxony were running us very close. What would be the effect of this tax on the stocking manufacturer of Nottingham? The effect would be, that he would carry his capital abroad, and establish manufactories there. It was assumed that the Income-tax was a good remedy for the existing deficiency, but he thought that so far from there being a surplus revenue derived from this source of taxation, he should be able to show that there would be an actual deficit. The budget imposed a Property-tax—it called Hercules forth to put his arm to the waggon, and did not get it out of the rut after all. Their Lordships knew that by the last estimates which had been laid before Parliament, the deficiency of the revenue was 3,000,000*l.* To meet this deficit there was the Income-tax, the new coal duty,

and the new arrangements with regard to Ireland. He believed that from Irish spirits not one 6d. could be expected to be raised. The Government had proposed to take a duty of 4s. per ton upon coal exported, and this it was expected would produce 200,000*l.* That calculation showed an expectation that there would be 1,000,000 tons of coal annually exported. The present amount of exports exceeded 1,500,000, and the amount was, therefore, expected to be reduced by one-third. The loss of freight and other expenses upon this reduced exportation would amount to 450,000*l.*; so that there would be a loss of revenue arising upon this sum, both in respect of the coal owner and the shipper, which would go far to show an absolute deficit on this item. Taking, therefore, the returns from Irish spirits and from coal as amounting to nothing, the account would then stand, that the sum which might be expected to be realised from the Income-tax was 3,700,000*l.*, and from Irish stamp duties 160,000*l.*, making a total of 3,860,000*l.* The amount of duties to be repealed was 1,210,000*l.*, and deducting this from the net income, the result was only 2,650,000*l.* The deficit, however, was 3,000,000*l.*, and thus there was an actual deficiency in the revenue raised by this extraordinary tax of 350,000*l.* With regard to the nature of the tax itself, he thought that the Government had acted rightly with a view to their own popularity, but looking at the interests of the country, to the protection of industry, he thought that the volunteer budget of the noble Earl (Earl Stanhope) who had suggested the re-imposition of assessed taxes, would have been more likely to produce satisfactory results. To what, he asked, was the state of the country to be attributed? The public revenue had increased, no doubt, but not in the proportion which the country had a right to expect. If any one looked to the question dispassionately and calmly, he might trace the distress of the country to two great causes. One was the disorganization of our foreign trade by reason of the state of America; and he believed that if they turned to their Customs' returns, they would find that the main deficiency was altogether connected with the produce of America; and he believed in his conscience that the whole of the difficulties which had proceeded from this source would have been averted, if means had

been taken by which the raw agricultural produce of that country might have been received in payment. But beyond this was another infinitely greater cause of distress—the diminished power of consumption in the people of this country. Even if they gave up all other causes, they would have no difficulty in seeing that it was the diminished power of consuming exciseable commodities at home which had led to a great deal of the loss of income. There was a calculation published which had been made upon the authority of Mr. Lloyd, and which formed a part of the report of the commissioners on the handloom weavers, which showed the prices paid in 1835, 1839, 1840, and 1841, for wheat, oats, and barley. It was as follows:—

	qrs.	s.	£
" 1835—			
Wheat 12,000,000 at 40 ..			24,000,000
Oats . 3,000,000 „ 22 ..			3,300,000
Barley 9,000,000 „ 30 ..			13,500,000
			<hr/> 40,800,000
" 1839, 1840, 1841—			
Wheat 12,000,000 „ 58 ..			40,800,000
Oats . 3,000,000 „ 25 ..			3,750,000
Barley 9,000,000 „ 37 ..			16,650,000
			<hr/> 61,200,000
" Excess of cost.. £20,400,000."			

What was the effect of drawing 20,000,000*l.* from other sources, and spending it in this article of consumption? It was to diminish the revenue and the trade of the country, and to cramp and fetter our manufactures. He would take also a comparison of the expenses of twelve families in Manchester between 1836 and 1841. The amount of income which they were compelled to pay in 1836 was 54 per cent., in 1841 it was 89 per cent.; and the result of this was, that they had less to lay out in exciseable articles. He would not further trouble their Lordships upon this subject, upon which their Lordships had already extended great indulgence to him. He would only end by saying, that he could assure the House that, in opposing this Income-tax, he had done so precisely upon the same principle on which he had opposed it when he had had the honour of being a Minister himself, and on no other principle whatever. He should oppose it under all circumstances, as being an unwise, an unjust, and inefficient measure.

The Earl of Ripon was very ready to do justice to the ability with which the noble

Lord who had just sat down had stated his views of this measure, but he thought that, after all, the question in reality resolved itself into the very point on which it had been discussed on Friday night. The arguments of the noble Marquess, of the noble Earl (Earl Stanhope), and of the noble Lord who last spoke, all resolved themselves into this: that there was not a case made out to furnish a ground for the imposition of this tax. It was not disputed that from the very nature of things a Property-tax must be liable to very grave objection; he had stated so the other evening. He had stated that it was only to be justified by the pressure of strong necessity, and he had then proceeded to show the grounds on which the affirmation of the existence of that necessity depended. He could not help thinking that his noble Friend had failed to show that no such necessity existed. The noble Lord had carefully and properly avoided volunteering a budget, though he had expressed an opinion in favour of that suggested by the noble Earl: but he could not help thinking that if the Government adopted that scheme they should be adopting a course liable in itself to very grave objections, and liable to this particular objection, that it would not effect the purpose which was to be had in view. What if Parliament should re-impose the house-tax, and the duty of 50 per cent. upon horses and carriages and servants, which had been taken off in 1823. If by such means they could be sure that they would derive the sum which they wanted, he must say that he thought that would be a preferable mode of taxation. But the amount which would be obtained, according to the calculations when these taxes were last paid, would not produce anything like the sum required. By the house-tax, as it stood in 1833, they would gain about 1,200,000*l.*; and by the taxes on horses, carriages, and servants, which had been removed in 1823, they would not obtain more than 500,000*l.* or 600,000*l.*, assuming that the re-imposition of a much larger amount of taxation in these items would not prevent the employment of horses, carriages, and servants to a considerable extent. But the force of this necessity had been contested by his noble Friend who had last spoken, and he had argued that if everything had been left alone, all would have come right. He did not, for his own part,

doubt this for a moment; he did not at all despair of the powers of the country. But there was a deficiency now actually existing which must be met. Everybody repudiated the idea of borrowing money—of raising funds by way of loan, and there was no other alternative but that the Government must apply itself to find some source of revenue from which they could derive sufficient to meet their necessities. A great part of the speech of his noble Friend had been in vindication, although such a vindication was quite uncalled for, of his own financial administration; and he had striven to show that no acts of his had called for this bill. He had alluded to the great addition to the debt of the country occasioned by the expenditure of 20,000,000*l.* in purchasing the freedom of slaves in the West Indies, and he had said that he had not attended sufficiently to the progress of the revenue. He certainly thought that he had given it full attention, and he had stated to the House that the deficiency was not, in fact, occasioned by the diminution of the revenue, because the revenue had increased, but by the great increase, within the last seven years, of the expenditure of the country, in respect of that portion of our expenditure over which Parliament exercised an annual control—he meant the naval and military service of the country. And he had shown that on this item alone the increase between the first year, where the gradually growing deficiency in the revenue had commenced, and the present year, had been no less than 3,500,000*l.* Why, if this were so, this did constitute a case, which in the first of these years no one had contemplated, but which had now assumed the character of a permanent deficit: and until they could show that the cases of deficit would be diminished, they could not calculate with any certainty upon the deficit itself being removed. If they re-imposed these taxes upon articles, and, upon the duties on Customs and Excise, they would, he thought, be overturning the great principle of commercial and fiscal relief, which had been the object of the Government during the last twenty years. That would not be a wise course to adopt: it would be much safer to view the inconvenience, the odium of this bill—of remedying the existing difficulties by the adoption of the means which were proposed by this measure than by all at once upsetting everything which

they had been endeavouring to do for the purpose of relieving the spring of manufacturing prosperity. The prosperity of the revenue depended upon giving as much relief in that quarter as was possible. The noble Marquess had suggested that a new light seemed to have broken in upon the Government on this question; but he could only say, for his part, that he had always expressed and endeavoured to act upon a principle in favour of what was called free-trade; and though he was not prepared to give up the principle of free-trade—and he knew no one who was prepared to give it up altogether—he had always thought it necessary to reduce the whole system of the fiscal duties of the country, for the purpose of bringing about a more active communication with other parts of the world. He did not believe that the commercial and mercantile world entertained an opinion adverse to the tariff. He had heard many persons say that they believed that it would be one of the most useful measures which could be devised, and he thought that the noble Marquess had treated the measure in a way which it did not deserve. When that measure came up from the other House of Parliament, he thought that he should be able to show that it rested upon a sound position, such as should regulate the commercial interests of the country.

Their Lordships divided on the question that the word "now" stand part of the motion :—Contents 99; Not-Contents 28 :—Majority 71.

#### *List of the CONTENTS.*

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Canterbury.	Home
Armagh	Haddington
Lord Chancellor.	Galloway
DUKES.	Dalhousie
Richmond	Aberdeen
Buccleugh	Dunmore
Wellington	Aylesford
Buckingham	Warwick
Cleveland.	Delawarr
MARQUESSSES	Bathurst
Salisbury	Beverley
Abercorn	Mansfield
Downshire	Liverpool
Exeter	Malmesbury
Londonderry	Clanwilliam
Ailesbury	Wicklow
EARLS.	Lucan
Devon	Bandon
Sandwich	Rosslyn
Shaftesbury	Powis

Charleville	LORDS.
Manvers	De Ros
Verulam	Clinton
Brownlow	Beaumont
St. German's	Colville
Bradford	Boston
Beauchamp	Walsingham
Glengall	Kenyon
Eldon	Bayning
Somers	Bolton
Stradbroke	Northwick
Dunraven	Blayne
Cawdor	Carbery
Ripon	Crofton
VISCOUNTS.	Redesdale
Sydney	Sandys
Hood	Rivers
Midleton	Prudhoe
Gage	Colchester
Hawarden	Ravensworth
Canning	Delamere
Canterbury	Forester
Lowther	Bexley
BISHOPS.	De Tabley
Lincoln	Wharcliffe
Bangor	Fitzgerald
Rochester	Stuart de Rothesay
Llandaff	Heytesbury
Chester	Templemore
Gloucester	Seaton
Chichester	

#### *List of the NOT-CONTENTS.*

MARQUESS.	BARONS.
Clanricarde	Campbell
EARLS.	Cloncurry
Cowper	Colborne
Clarendon	Camoy
Gosford	Cottenham
Lovelace	Carrington
Morley	Denman
Radnor	Dunally
Scarborough	Kinnaird
Stanhope	Lilford
Zetland	Monteagle
VISCOUNT.	Mostyn
Duncannon.	Stuart de Decies
BISHOP.	Sudeley
Norwich	Stafford
	Western
	Wrottesley

#### *PAIRED OFF.*

FOR.	AGAINST.
Marquis of Huntley	Lord Stanley of Alderley
Marquess of Bute	Lord De Freyne
Marquess of Ely	Duke of Hamilton
Earl of Kinnoul	Lord Lovat
Earl Cornwallis	Lord Sherborne
Earl of Mountcashell	Lord Bateman
Earl of Clare	Duke of Devonshire
Earl of Wilton	Lord Foley
Earl of Clancarty	Marquess of Headfort
Bishop of London	Lord Dinorben
Lord Soudes	Lord Hastings

FOR.	AGAINST.
Lord Braybrooke	Earl Fitzhardinge
Lord Wynford	Lord Talbot of Mala-
	hide
Lord de L'Isle	Earl of Belfast

Bill read a third time and passed.  
Their Lordships adjourned.

*The following Protests were entered.*

DISSENTIENT—I. Because this bill, though entitled "Property-tax," is in truth a tax on income; and I consider any tax on income objectionable, as being—

1. Unjust, inasmuch as it taxes to the same amount equal yearly incomes of really unequal value.

2. Inquisitorial, and necessarily requiring for its due collection such scrutiny into the affairs of individuals as is abhorrent from the feelings of Englishmen in all cases, and in many, especially in those of persons concerned in trade, inconvenient, and highly injurious.

3. Demoralizing, because in divers cases it requires the oaths of parties to be made in direct opposition to their pecuniary interests, and holds out temptation to perjury and fraud.

4. Impolitic, as forcibly diverting a portion of the profits of trade from productive, to the support of unproductive labour; and

5. Because I believe that the allegation that a tax on income affects the rich only, and not the poor, is altogether erroneous; and that every tax falls, sooner or later, on the poorer classes of the people, and none more immediately than a direct tax imposed on the incomes of the employers of labour.

II. Because several of the provisions of this bill appear to me absurd and unnecessarily unjust and impolitic.

1. By this bill, while all the incomes enumerated in the schedules A, C, D, and E, though of greatly varying value, are assessed at 7*d.* in the pound, incomes arising from the occupation of lands are assessed in schedule B only at 3*d.*, and in some cases at 2*d.*, in the pound. The grounds of this distinction have not been explained; but the consequence must necessarily be, that it gives an undue advantage to capital employed in agricultural pursuits, and tends to raise to an unnatural level the rent paid for the occupation and use of land.

2. The profits of tenants, occupiers of land, are measured by the rent due to the respective landlords—a test, as it appears to me, assumed capriciously without any assignable reason, and the consequence of which must be, first—that a tenant, who pays a low and inadequate rent, will have the further benefit of being assessed at a low rent on his income, while the tenant oppressed by a high rent will have to bear the additional burden of a heavy tax; and secondly, that in cases where long leases of lands have been granted at low rents, in consideration of capital expended on permanent improvements, the landlord will be assessed on an income which he does not re-

ceive, and the tenant deprived of the opportunity to replace his capital: the tendency of this provision is, to prevent the outlay of capital on permanent agricultural improvements.

3. Traders are required to return their incomes on the average of their profits for the three last years, so that the man whose business is declining, will have, in aggravation of his losses, to pay more than his due proportion of the tax; but he whose business is thriving will have the further advantage of paying less than his proper share.

4. In this bill I find no provisions by which a man who is possessed of property, and who is also engaged in trade, may deduct the losses (if any should occur) accruing in the one case from the income arising in the other; so that he may be, in the balance of the whole, a loser, and yet be called upon to pay a tax on income, though he has none.

5. By the third rule of the first case of the rules for ascertaining the duties contained in the schedule (D), it is expressly enacted that, "in estimating the balance of profits and gains chargeable under schedule (D), or for the purpose of assessing the duty thereon," no allowance or deduction shall be made for, *inter alia*, any "sum employed, or intended to be employed, as capital in such trade, manufacture, adventure, or concern," or "for any capital employed in improvement of premises occupied for the purposes of such trade," &c. Thus the provisions of this act are directly calculated, and seem studiously drawn up, to prevent any increase of trade or manufacture, either by extending the operations of the one, or by improvement in machinery and mode of carrying on the other.

6. This being a tax upon income, and not upon the public debt, I hold it to be equally unjust and impolitic to withhold from foreigners such portions of the interest of that debt as is due to them by this country, and for the full payment of which the faith of Parliament is pledged. In the case of British subjects the Legislature has the power to tax their incomes, from whatever source arising, and thus when those incomes are derived in the whole or in part from the interest of the public debt, it has a right to claim a portion of that interest. But to withhold from foreigners, whose incomes are beyond the control of the British Legislature, a portion of the interest due for money actually lent by them to this country on the faith of Parliament, appears to me an act of sheer dishonesty. The impolicy of such a proceeding appears to me equally great whether I consider the alarm which it may cause in the mind of the foreign fundholder, lest on some future occasion of pressing difficulty the whole may be confiscated, or view the proceeding as an example to other Governments for dealing with, and appropriating to themselves, funds belonging to British subjects in their hands.

III. Because I fear the financial difficulties to

meet which it is alleged that the tax is imposed, will be aggravated by it. The difficulties arising, as I believe mainly, if not wholly, from the depressed state of commerce and manufactures, which has now prevailed for more than four years, it seems to follow, as a matter of course, that the best remedy would be to remove the burdens which press most severely upon them: Experience shows that the taking off of taxes does not of necessity diminish the revenue by the amount of the duties repealed. And there are many taxes which weigh very heavily on the springs of industry, more especially the duty on the importation of corn. Much, therefore, might, I think, be done by relaxation of taxation; much also by modification of certain differential duties on foreign and colonial produce, which, while they impose heavy duties on the consumer, in no degree benefit the public revenue. But the withering influence of this tax must increase the depression of all the industrious classes, and aggravate the difficulties of the country.

IV. Because I see reason to apprehend that the object proposed to be effected by this bill will not be obtained. The imposition of the Income-tax is justified on the ground of the necessity of raising, with certainty, within the year, a sum of money sufficient to make good the existing deficiency of the revenue. This tax may yield the estimated sum, but it can hardly be expected that there will not be a compensating, and probably nearly equal, falling off in some other quarter, so that, on the whole, the proposed advantage will not be gained.

V. Because this tax, by aggravating the distress, will increase the causes of the necessity now urged for its imposition, and its continuance and re-enactment at the time it is now destined to expire will thus be rendered still more necessary. Cause and effect will reciprocally act on each other, and all hope of being rid of this impost, and of seeing the restoration of commercial prosperity, will be lost, and the first fatal step will have been taken towards permanently undermining the resources and destroying the wealth and power of the country.

RADNOR,	DUNCANNON,
ZETLAND,	SOMERHILL,
KINNAIRD AND	GOSFORD,
ROSSIE,	CAMPBELL,
MONTEAGLE (of	CLONCURRY,
Brandon),	CLARENDON,

And for all the reasons, except that which relates to foreigners holding stock.

DENMAN.

#### *Protest against the Third Reading of the Income-tax Bill.*

Dissentient,

1. Because an Income-tax is justly odious from its inquisitorial nature, as well as from the inequality of its pressure, and ought not to be imposed except in a case of great emergency, such as does not at present exist.

2. Because an Income-tax may occasion a very considerable curtailment of private expenditure, and may thus extend and aggravate the present distress, which has arisen from an insufficient employment and remuneration of labour.

3. Because an Income-tax ought to be reserved as a resource for war when the expenditure is unavoidably such as could not be otherwise defrayed.

4. Because an Income-tax, when imposed in order to supply a deficiency in the revenue, and not to meet the exigencies of an expensive war, must convey to foreign powers a very unfavourable and injurious impression with respect to the sources of this country.

5. Because an Income-tax is not required by the deficiency of the revenue, for which a provision might have been made by imposing again some of those taxes, the repeal of which had occasioned that deficiency, but had not afforded the relief that was expected.

STANHOPE.

### HOUSE OF COMMONS,

*Tuesday, June 21, 1842.*

MINUTES.] *BILLS. Public.*—1°. Right of Voting (Dublin University); Municipal Corporations (Ireland).

2°. Bribery at Elections (No. 2).

*Considered in Committee, and Reported.*—Customs.

3°. and passed:—Railways.

*Private.*—*Reported.*—Leicester Small Debts.

3°. and passed:—Broomyards Roads.

PETITIONS PRESENTED. By Lord Barnard, from Cork, for Amendment of the Municipal Corporations Act.—By Sir R. Ferguson, from Londonderry, for the Abolition of Church Patronage (Scotland).—By Mr. Cobden, from Paddock, for further Limiting the Hours of Labour of Young People in Factories.—By Mr. B. Wood, and Mr. Hume, from Freeholders, &c. of the South side of the Metropolis, and from Lambeth, for the Abolition of the Tolls on Waterloo, and the other Metropolitan Bridges.—By Mr. Loader, from the Western Literary and Scientific Institution, for relieving such Institutions from the Payment of Rates and Taxes.—From Kirkburton, and Swanscoe, against the Mines and Collieries Bill.—From the Guardians of the Londonderry Union, for Amendment of the Poor Relief (Ireland) Act.—From the County of Cork, against the Fisheries (Ireland) Bill.—By Mr. Sheil, from St. James's, Westminster, Weymouth, Melcombe Regis, Bristol, and Liverpool, for the Ballot.—From the Company of the undertakers of the Grand Canal, against the Drainage (Ireland) Bill.—From William Withain, against the Newfoundland Bill.—From the Guardians of the Walsall Union, to Purchase Food Duty Free.—From the Guardians of Stourbridge, against the New Poor-law.

### LIGHT SOVEREIGNS—THE PIQUE.]

Sir G. Cockburn stated, that in consequence of what had been stated last night in reference to the alleged payment of the crew of the Pique in light sovereigns, he had since made further inquiries into the matter, and had found that every sovereign that was sent down to Portsmouth to pay off the Pique was previously weighed, and ascertained to be full weight. Two thousand sovereigns were transmitted at the

same time for the payment of the Pique's crew and of the dockyard men, and every one of these sovereigns were first proved to be full weight. At Plymouth there had been a few cases in which sailors had been inadvertently partly paid in light sovereigns; but in every instance, on the mistake being pointed out, the deficient sovereign was taken back and a full-weight coin given.

**SILVER COINAGE.]** Mr. *Forster*, in the absence of the right hon. Gentleman the Chancellor of the Exchequer, was desirous of putting a question to the right hon. Gentleman the Master of the Mint, in reference to the subject which had just been adverted to. He wished to know whether any measures have been taken, or whether any steps are in progress, for giving the public an increased supply of silver coin. He had been informed this morning, on very excellent authority, that the Bank coffers were nearly drained of silver coin, and that the greatest public inconvenience was to be apprehended from this scarcity. He certainly thought that before the late proclamation was put forth, adequate provision ought to have been made for the increased demand which was sure to ensue upon such a measure. He therefore trusted that measures were in progress for remedying the evil.

Mr. *Gladstone* had also heard of the inconvenience which had arisen in reference to the silver currency, but he had not heard that it was likely to lead to any deficiency of the silver coinage itself. The demand for silver coin might be owing to the circumstance that the half-sovereigns having suffered much more in point of weight than the sovereigns, had got into much greater discredit, so that very many people required their change all in silver instead of in half-sovereigns. Means, however, were being taken to remedy the inconvenience.

Dr. *Bowring* said, that the answer of the right hon. Gentleman was not quite satisfactory. The inquiry of his hon. Friend was, whether there was any intention of making an additional issue of silver coin? He could bear evidence to its great scarcity. He had been informed that very morning by his own bankers that there was a very great deficiency of silver.

Mr. *Gladstone* said, that if it should be ascertained that the inconvenience was

really owing to a deficiency in the silver coinage, means would be taken to remedy it; but he doubted if there were any actual scarcity of silver; for only about four weeks since, complaints had been made by the bankers of a surplus of silver coin.

**STADE DUTIES.]** Mr. *Hutt* begged to remind the right hon. Baronet at the head of the Government, of the promise which he had given some time since, that he would inform him of the result of the measures which the Government had adopted for the settlement of the Stade duties.

Sir *R. Peel* would give all the information in his power on the subject at once. The negotiations on the subject, which had been pending for some time, were not yet concluded. He had, within the last few days, had an interview with the envoy of the Hanoverian Government, who stated that the proposition of the British Government could not be accepted by the Hanoverian government. He was not able to give any further information on the subject.

**CAPTAIN WARNER'S INVENTION.]** Sir *C. Napier* wished to ask what steps had been taken with regard to Captain Warner's invention? Captain Warner had, he understood, expressed a desire that Lord Hardwicke and Lord Ingestrie should be appointed on the commission to investigate the merits of his invention, and complained that Sir Byam Martin and Sir Howard Douglas had demanded of him that he should make known all his secrets, without having any guarantee given to him that they would not be divulged. Captain Warner further stated that Sir George Murray was fully cognizant of the secret, and that he (Captain Warner) was desirous of unbosoming himself to the right hon. Baronet, and that, after the merits of his invention should have been tested, he would leave the question of compensation entirely in the hands of the right hon. Baronet. He also stated that, if a three-decker were placed before him, he could destroy it immediately, and that he could destroy vessels at six miles' distance, and was ready to make proof of this. He therefore thought that Government ought to ascertain whether Captain Warner was a charlatan, or a man really possessed of the destructive powers he claimed.

Sir *R. Peel* was very sorry the gallant



Commodore had brought forward this subject. Since the last mention of this subject three weeks ago, applications had been made by several individuals to have personal interviews with him on the subject of destructive inventions, which, they stated, were entitled to the utmost consideration on the part of the state. He did not wish to say anything in disparagement of Captain Warner's invention, but he would give his own version of his transactions with Captain Warner. Shortly after his appointment to office, he had a private opportunity of seeing the extraordinary effects produced by Captain Warner's invention, and he signified that he was willing in the regular authorised way to have experiments made with the discovery; that he thought, however, it rested either with the Admiralty or the Board of Ordnance to judge of the invention, for that he himself was wholly incompetent to form a judgment upon it; that he must remit to the heads of those departments the charge of instituting experiments of this kind. He, therefore, wrote to Sir George Murray, the Master-General of the Ordnance, to request him to name two officers to whom no possible exception could be taken—who had the most professional knowledge and the greatest practical skill in gunnery, and everything respecting the destruction of human life. He had also stated, that thinking it unreasonable that Captain Warner should be put to any expense in the course of conducting the experiments, he would consent that the expense should be borne by the public. He asked, then, the House, whether or not, knowing the number of similar applications that had been made, and might be made, he could have taken any better course? The two gentlemen whom Sir George Murray had appointed for the purpose of making the experiments were Sir Howard Douglas and Sir T. Hastings, and he would appeal to any person conversant with those subjects whether more suitable parties could be selected? Captain Warner had certainly suggested that Lord Hardwicke or some other gentleman should be added, but he had objected to this as quite unnecessary. He certainly had not undertaken to pay any sum of money whatever beyond the expense of the experiment; what he said was, let the experiment be made, and we can then judge of the value of it. This was not an experiment, the real value of which could be tested in a small pool of

water, and under prepared and advantageous circumstances; experiments must be made on a large scale and under adverse circumstances, so as to enable us to judge what would be the effect of the invention when wind and weather were against it. For the rest, if he were to give way to all the suggestions of all the persons who thought themselves in possession of a valuable discovery, in war, in finance, in commerce, in every possible branch of art and science, there would not be a guinea at the command of the Treasury for any other purpose.

#### EXPENSE OF THE WAR IN INDIA.]

Mr. *Mangles* wished to ask distinctly whether any advance had been made to the East-India Company, or whether any was contemplated to be made on account of the war in Affghanistan? The right hon. Baronet was reported to have said, that 100,000*l.* had been advanced for the purpose of the war in Affghanistan; and the erroneous statement was confirmed by another mistake relative to papers which were laid on the Table by the hon. Gentleman, the Secretary to the Treasury.

Sir *R. Peel* hoped, that hon. Gentlemen would give him notice of such questions as this, as he could hardly be prepared to answer every question that might be asked at the moment. What he said on the occasion referred to was this, that the operations of the war in Affghanistan required so large an expenditure on the part of the East-India Company, that it would be an inconvenience to them to be too far in advance to the Government on account of the Chinese war—a war carried on at the charge of the public of this country. He intended, therefore, to propose a vote of a sum to the East-India Company on account of the Chinese war expenditure; but he never said that there had been, or would be, an advance on account of the hostilities in Affghanistan.

THE BALLOT.] Mr. *Ward* rose to bring forward his motion relative to the ballot. He did so with a sincere sense both of the difficulty and of the importance of the task of submitting the question of the ballot for the first time to the consideration of the present House of Commons. When he talked of the difficulty of that task, he did not mean merely the difficulty which he most unaffectedly felt, and which all men of inferior powers must feel, in attempting to en-

gave the attention of that House on a question involving so much both of principle and detail, but the additional difficulty of weaning his own mind from the recollections of the admirable ability, the aptitude for illustration, the closeness of reasoning, the high mental and logical power which had been brought to bear on this question by his hon. Friend the late Member for the City of London (Mr. Grote)—a gentleman whom those who knew him must admit to have been an ornament to that House, however much they might differ from him in political opinion—and who had devoted to this question, during the three first Parliaments elected under the Reform Bill, the best efforts of his highly cultivated mind. But, while there was nothing that he so much deprecated as any comparison between the manner in which this question was brought forward by Mr. Grote and by himself, he felt encouraged to follow in the path of his hon. Friend by the recollection that time had brought many to be of his opinion as to the consequences of continuing the system of open voting. What had been disputed ten years ago, could not now be denied. Instead of reasoning on abstract principles, and asking the House to provide a remedy for evils in the existence of which many persons at that time disbelieved, he could now appeal to the acts of the House itself; to the reports of its own committees; to the records of its own proceedings; to the painful and humiliating discussion which had taken up so much of their time, and which showed that the tendency of the open system of voting had been progressing from bad to worse—that its effects were most demoralising and most discreditable to this country in the eyes of the world. Some remedy was indispensable, unless the House was to forfeit the confidence, alienate the respect, and outrage the moral feeling of the country. They were called the Bribery Parliament, and they deserved the name. Let him profess with the utmost sincerity, in the first instance, that he did not mean to deal with this question in any way as a party question. He looked at it as a question in which both sides of the House were equally interested; and in bringing it forward, he trusted he was actuated by better motives, and animated by better hopes, than he should be if he brought it forward merely with party views. He admitted at once, and at the outset of the argument, that corrupt influences in the late conflict and

party struggle had been just as unscrupulously applied by Liberals as by Conservatives. Both parties had acted on the same system. But that system was a bad system, and one which no honest man could pretend to justify on sober reflection, although he might have been tainted with it himself. It was a system which no well-wisher of his country would defend. He saw with great satisfaction that there was at present a disposition manifested on both sides of the House to look seriously to the dangers which such a system must entail upon the country. He had heard bribery denounced by the leaders on both sides in terms which would seal its fate in six months if those terms were sincere. He had a right to question the sincerity of parties, until he saw them follow up the expression of their opinions by practical remedial measures; and he did consider that the best test of sincerity would be to renounce the power in which the abuse originated. It could be shown that by renouncing that power the abuse could be eradicated—that they could destroy that security which was the basis of the contract between the briber and the bribed; that they could disarm intimidation by taking away from the landlord, the customer, or the employer of labour, the power of ascertaining whether the promises extorted by his threats had been kept or not. He said, therefore, that every man who was sincere in his denunciation of corrupt influences—every man who wished well to his country would concur in the advantage of ridding his party of the contamination of such allies, by adopting a system which would prevent them more effectually than any punishment, because punishment never could be impartially applied, and seldom reached those who were really most guilty. He thought the present time was particularly favourable for this attempt. There was no great party contest going on, the balance of power in that House was not so nicely distributed that the slightest change in the representative machinery would give a decided preponderance to one party or the other. On the contrary, so far as the ordinary calculation of political chances went, the ascendancy of one party was now secure. With common prudence it might be so. He was bound to say that the leader of that party had, on every occasion which bore at all on the subject of the present motion, shown a proper sense of the responsibility of his own situation, and an earnest and

sincere desire, he believed, to discharge the duties which it imposed on him. He alluded more particularly to those speeches which had been made by the right hon. Baronet opposite on the Nottingham, Southampton, and Belfast writs. In speaking on the Belfast writ, the observations of the right hon. Baronet expressed so much better than he could do what he believed was the real position of the House with regard to the country, that he might be permitted to recall them to the recollection of the House. The right hon. Baronet said,

"He now thought, considering the extent to which corruption was alleged to have been carried—considering the general impression that prevailed as to the extensive system of bribery that was said to pervade the country—he did think, and he would now state it as his deliberate opinion, that it would not be for the honour or dignity of the House of Commons to interpose technical objections against full inquiry into such practices. He wished to prevent grounds being laid for great and extensive constitutional changes; but he felt perfectly confident, if that House manifested a disposition not to inquire when cases of corruption were brought under its notice, that the means of resisting constitutional changes would be greatly impaired. If Gentlemen proceeded on a different principle—if one party said, 'We will protect our friends,' and another party said, 'We will protect ours,' it would not tend to support the character or credit of the House. For his own part, he gave this public notice, that he would not act on that principle. If parties guilty of bribery, or of a corrupt compromise to get rid of an inquiry into alleged bribery, were brought under the notice of the House, he certainly would not in any way interfere with the proceedings. He gave this notice publicly (but he did not mean to say that there were any parties there who might wish him to act otherwise), that he would not use the influence of office to prevent a full inquiry into any strong *prima facie* case of bribery at elections; for he felt, as every man must feel, that such practices had a manifest tendency to diminish the character and dignity of Parliament. He, therefore, most certainly would not exercise the influence of office to prevent the fullest inquiry into any cases of corrupt practices that might be brought before the House."

Looking to his side of the House, there was a similar disposition to recognise the extent of the evil. His noble Friend, the Member for London, had brought in a bill, which he hoped he would succeed in carrying with the full concurrence of both sides of the House. There was still stronger evidence of the nature of the present sys-

tem, and of the necessity of applying some remedy to the corruption which prevailed, in the testimony of a noble Lord, whom he was sorry not to see in his place, who had been one of the most formidable enemies of the ballot—he meant the noble Lord, the Member for Sunderland. In the last speech in which that noble Lord had delivered his opinion on the question of undue influence at elections, he seemed to him to have completely changed his views. The noble Lord, the Member for Sunderland, in his speech in 1837, rested his opposition to the ballot on the fact that there was a striking improvement in the landowners of England generally—that they were less inclined to exercise undue influence over their tenantry—and that we might safely trust to their forbearance the rights of all who were connected with them. But looking at the speech which the noble Lord had delivered at the declaration of the poll at Alnwick, and after the experience of the last election, a singular change seemed to come over the spirit of his dream. He found in that speech the most sweeping charges brought against the whole landed proprietors of the important county which the noble Lord formerly represented, its terms were most unmeasured; and he might say that he never heard from any advocate of the ballot expressions of more cutting censure upon the undue practices and illegitimate influences exercised at that time. He told the noble Lord that he meant to refer to his speech, in which he found charges against the noble Lord opposite of unworthy trickery—promises unscrupulously violated—undue means taken to influence the electors, by two Peers of Parliament, Lord Tankerville and the Duke of Northumberland.

"I challenged (said the noble Lord) my opponents to declare that no tenant, no tradesman, no person employed by them should suffer for the conscientious discharge of his duty. You all saw how that challenge was evaded. . . . I knew from that moment that the influence of the proprietors would be used in the most unsparing manner against me, and certainly that expectation has not been disappointed. . . . You are all aware with what extreme absence of all reserve, or concealment, the great power of our neighbour at the Castle has been exercised; but, for that I was prepared. . . . Even the little miserable pledge, given with respect to certain tenants upon Lord Tankerville's estate, at Wark, had been violated; Lord Ossulston, in person, having been instrumental in inducing these poor men, dependents of his father, to break their solemn promises, upon the plea that they

had not been previously informed of his intentions and wishes."

The noble Lord added—

"I presume Lord Ossulston would not break his own word—would not violate his own deliberate promise—but I wish to ask you, where is the distinction between breaking one's own word, and compelling others to break theirs? Does Lord Ossulston imagine that because men happen to be poor and dependent, because they happen to be of a lower rank in life than himself; they are, therefore, insensible to those feelings of honour which ought to exist in the bosom of every honest man?"

He would be satisfied to rest his case for the ballot on the speech of the noble Lord, and he thought he ought to claim his vote on the strength of that speech. He would now merely hand the noble Lord the extracts from his speech which he had been reading, and ask how, after that speech, the noble Lord could refuse to support the present motion with his vote? He came now to the Bribery Bill of the noble Lord the Member for London. The noble Lord admitted as fully as he did the extent of the evil, and the necessity of a remedy. It only remained for the advocates of the ballot to prove the superiority of their remedy. He believed that penal enactments against bribery would not be effectual. We had had such these hundred years. It had been tried in every variety of shape, without success. As to intimidation, the noble Lord himself would admit, from its Protean character, and the endless variety of disguises it assumed, that it could not be reached by any laws whatever. There was no want of stringency in the existing laws, nor was there at former periods, when similar evils were felt. He found the following passage in De Foe's Review, written a hundred and thirty-five years ago:—

"We have lately had two or three acts of Parliament to prevent bribery and corruption at elections. I have already noticed that we have in England the best laws the worst executed of any country in the world. Never was treating, bribing, buying of voices, freeholds, and freeholds, and all the corrupt practices in the world, so open and barefaced, as since these severe laws were enacted."

And in another passage, written in 1708, he says,

"I have seen the possibility, aye, and too much the practice, of men's voting implicitly here for ale, there for influence, here for threats, and there for persuasion. And God knows, I speak it with regret for you all, and

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for your posterity, it is not an impossible thing to debase this nation into a choice of thieves, knaves, devils, or anything, comparatively speaking, by the power of various intoxications."

There was little hope of getting rid by the legislative enactment of the noble Lord of practices which were constantly recurring, though constantly denounced, because they were privately connived at, while they were publicly condemned. He would ask any man in that House, did he think that this system could last? Could it continue without producing those effects, which the right hon. Baronet at the head of the Government himself pointed out in the speech from which he had already quoted? Millions of eyes were fixed at the present time on our electoral system—those of the millions in this country who were excluded from it, because they were told that a property qualification was the best criterion of fitness to exercise the franchise. When they turned their attention to those who possessed the franchise, to whom it was exclusively confided—when they looked to the 10*l.* householders, to the 50*l.* tenants-at-will, who, according to the theory, should be examples of integrity, disinterestedness, and patriotism, they saw the whole tenantry of England sunk into a state of the lowest slavishness; and amongst the electors of the towns the most wholesale, barefaced, and unblushing profligacy. Since the last election no less than fifty-five petitions have been prevented, complaining of undue returns, and affecting no less than seventy-eight seats. Every man on both sides of the House knew perfectly well that a great many of the very worst cases of corruption escaped notice altogether from the perfect community of guilt. No party had sufficiently clean hands to appear as a petitioner for inquiry. There had been, as he said, fifty-five petitions against seventy-eight seats. Several of these cases had been brought to issue before committees of that House, and upon some of them special reports had been made. What did these reports say? He had made extracts from five of them, which he would read to the House:—

Southampton.—"That James Bruce, Esq commonly called Lord Bruce, and Charles Cecil Martin, Esq., were, by their agents, guilty of bribery at the last election for the said borough. That the evidence given before your committee, relative to an extensive system of treating, carried on through the means of local associations, the payment of large sums to chairmen and colour-men, many of whom were

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voters, and the expenditure of a sum of money for the purposes of the election, amounting to nearly 5,000*l.*, and, therefore, far exceeding the ordinary legal charge. is deserving of the serious consideration of the House."

Ipswich.—Resolved unanimously, "That Rigby Wason, Esq., and George Rennie, Esq., were, by their agents, guilty of bribery at the last election for the borough of Ipswich."—Resolved unanimously, "That this committee are of opinion, from the evidence given before them, that extensive bribery prevailed at the last election for the borough of Ipswich, and that the issuing of a new writ for the said borough ought to be suspended until the said evidence shall have been taken into consideration by the House."

Sudbury.—"That the committee are of opinion that gross, systematic, and extensive bribery prevailed at the last election for the borough of Sudbury; and they also consider it their duty to express to the House their unanimous opinion that the borough of Sudbury should be disfranchised, and that a new writ ought not to be issued for the said borough."

Lyme Regis.—"That the committee think it right to inform the House that, although the general charge of bribery alleged in the petition has not been gone into, yet it has appeared in evidence that a corrupt practice has for some years prevailed in the borough of Lyme of lending money upon notes of hand, bills of sale, or other securities, to a considerable portion of a constituency, which did not exceed 280 by the last registration."

Newcastle-under-Lyne.—"That John Quincy Harris, Esq., was, by his agents, guilty of bribery at the last election. That, from the evidence taken before the committee, it appears that a most objectionable practice has existed for many years, and still prevails in the borough of Newcastle-under-Lyne, of distributing money under the appellation of 'Market money,' 'Dinner money,' or some other local term, to the poorer voters after the election."

The silence of the committees on other cases was no proof of the innocence of the parties concerned, or of the exemption of these boroughs from similar offences, because they had already been compelled by their own sense of justice, and by the demands of public opinion, to refer to a separate committee the cases of Nottingham, Penryn, Reading, Harwich, and Belfast—in all of which, except the last, the committee had reported that the sitting Members had been duly elected; and in the case of Belfast, no proof of bribery had appeared before them. To withdraw a petition was now almost synonymous with a confession of guilt. He believed he could prove, if the House had not already enough of that kind of business on its hands, that all the petitions that

had been withdrawn, with one single exception, had been withdrawn by compromise, though they had not attracted the notice of his hon. Friend the Member for Bath: with a single exception, every petition withdrawn had been compromised by a private arrangement, so as to withdraw it from the jurisdiction of the House. They were told, by the way, in extenuation of this practice, that it was an old one—that there were similar cases in the last Parliament—that Norwich was a crying case, in which Members of both parties were concerned. He believed that that was no extenuation of the offence whatever. It was no reason why it should not be inquired into. It did not render bribery less discreditable to the character of that House. This was the evil which they had to grapple with at present. Unless it was checked, it was certain to progress with frightful rapidity. When once a man contaminated his fingers with base bribes, he became morally degraded. The appetite grew by what it fed on, until every check of honour, conscience, and public morality was lost. He fully believed that they must go back to first principles, if they meant to have any principles at all. The first principle of representative Government, as he understood, was, that there should be a free independent right of voting. The voter must be a free agent. He must speak his own sentiments, and not be the tool or mouth-piece of any-body else. The State was bound to secure to the voter the power of recording his own unbiassed will. When he said unbiassed, he did not mean free from the influence of example, of advice, of superior intelligence. These must always have their effect, so long as there were weak minds and strong minds in the world. He meant unbiassed by dictation or corrupt influence of any kind. He did not believe under a system of open voting that there ever could be an unbiassed expression of the feelings of the majority of the electoral body—open voting proceeded on the principle that the feelings of the majority of the electoral body were not to be entrusted—that it must be checked or controlled by some other influence brought to operate upon them—in a word, that the machinery of a popular Government could not be worked by its own inherent power. That opened a very wide field indeed. It opened the whole question relative to the merits of the different kinds of Government. He did not mean to enter

into that question at all. He assumed that everybody was satisfied with the representative form. He assumed also that when we talked of representation we meant real representation, and that when we talked of responsibility, we meant real effective responsibility of the executive power to Parliament, and of Parliament to the people. If they did mean that, then the necessary inevitable consequence was that there should be a free and independent right of voting as the basis of the whole superstructure. Look at the dilemma in which they were placed. They began by limiting the franchise, because they said it was necessary to limit it in order that it might be properly used. Then they claimed a right to control those who had the franchise, in order that they might exercise it rightly. Now, if the electoral body were fit to have the franchise at all, the actual opinion of the majority should prevail on the election of representatives. If they were not fit to exercise it, the evil to deal with was in the composition of the electoral body, and not in the freedom of voting. He affirmed that with open voting there never could be a free expression of the majority of the constituencies—one moiety of them would be coerced and the other bought. In both cases, instead of voting according to his better judgment, the elector would be compelled to take the course which was least detrimental to himself. Upon this subject he might refer to the opinion of the hon. Member for Pontefract. The hon. Member had a leaning to corruption in its milder form. He came forward as the friend of the poor man. He hoped he was not taking an undue liberty in attributing to the hon. Member a recent pamphlet on *Purity of Elections*. So far from disavowing it, the hon. Member had done him the honour to give him a copy himself. The hon. Member appeared in the character of the poor man's friend, and said of the elector:—

“While in the limitation of his views, and in the weakness of his reason, the candidate who discharges his arrears, who places him in a happy and easy state of mind, seems his best friend, and obtains the support of his vote.”

The hon. Member believed it possible to put a stop to this species of corruption by legislative aid, but he adds, and not without much truth,—

“There is another evil already existing to a great extent, which any coercive law against

bribery would leave in full action, and to which indeed it would give still freer scope. The spirit of political corruption, checked as far as possible in its milder form, would throw all its energy into the shape of intimidation. Here at least is a corruption which confessedly can foil all positive enactment: ‘conscience of political rights or the fear of public opinion,’ can alone prevent any man from discharging a tenant or a labourer who has voted contrary to his desire, from ceasing to employ a tradesman who has displeased him, from depriving of his charity the opponents of his will. If a million of money went down among the people from the upper classes at the last election, as has been asserted (a sum by the by not twenty times as much as was spent on many a county election in the old time), it must at least have conferred a great deal of material happiness, while the intimidation which should take away any portion of that sum from the comforts of the people, or threatened to do so, could only produce unqualified misery; legislation might diminish the amount given, but it can do nothing with that arbitrarily withheld: the corruption which gives pleasure may perhaps be checked, while the corruption that gives pain goes its way unchallenged.”

He thought that the corruption which gave pleasure was quite as pernicious as that which gave pain. He had as strong an objection to head-money at Pontefract as to any kind of intimidation. He thought the advocates of this doctrine were sowing insidiously the seeds of unlimited corruption. It would lead to the destruction of all popular institutions; and he was sorry to see the hon. Member for Pontefract lending to such a doctrine the aid of his talents and the sanction of his name. But then the hon. Member said they might trust, as we understood, to public opinion, to check the abuse. The noble Lord, the Member for Sunderland had said the same thing at one time; but he preferred the speech of the noble Lord at Alnwick, to what he had uttered on a former occasion. He abided by the noble Lord's last speech at Alnwick. He abided by his last sentiments instead of his first, for he himself had no faith in anything in this country—but in the growth of the abuse. But then, if they wanted to know the extent of the abuse of intimidation, they must look to the counties of England. He spoke in the presence of a great many Gentlemen, who knew well what a county election was. They knew well that there was no exaggeration in his saying that almost without an exception, the votes of the tenants were regarded as a portion of the chattels of the estate. No man dared to canvass his neighbour's te-

nants. Persons would as soon think of doing so, as of robbing their deer parks, or shooting in their pheasant preserves. When persons heard of a county contest, they reckoned as to the result not by the number of acres in the possession of particular families, not by the peculiar views of the tenants, but by the votes, which in the hands of their tenantry each family could command. When Lord Chandos's motion was carried it was so, on the distinct allegation that they were a most independent class of voters, and as free to exercise their right as any other class in the community. The system was now reduced to such a nicety in the counties, that neutrality was reckoned an offence, they forced the tenants to register first, in order that they might force them to vote afterwards; and it was found that the whole result of an election might turn upon the death of the owner of a large property. He might mention in reference to this, that at the last election for the West Riding of Yorkshire, it was a very memorable contest, and never was there more canvassing, and never greater activity employed in a canvass than upon that occasion. He recollected that at that time there was one little oasis in the desert—there was one spot exempt from all the noise and bustle of a conflict—that was the spot occupied by the tenantry of the late Duke of Leeds. The Duke of Leeds happened to die, as the canvassing began; and nobody ventured to ascertain, for some time, what the opinion of the present Duke of Leeds was likely to be. The tenants, therefore, remained unsolicited, awaiting that impulse which was sure to come from above. It was at this time, and before the sentiments of the Duke of Leeds were ascertained, that he was engaged in his own contest at Sheffield. He was walking one evening in the neighbourhood of that town, in company with a friend, just as the uncertainty was about to terminate. They met a farmer on horseback—the man was a fine burly-looking man; he was as good a specimen of a Yorkshire yeoman as one would wish to see, and a person, it might be supposed, little likely to be influenced by another. This farmer was asked “how it was to go,” and what was his answer? “Why, we have got our orders at last. We are all to be *Yellows* this time.” Now, this man happened to be very well disposed to be a *Yellow*; but if the man were *Blue* to the backbone, the result *would have been* the same. Now, no man

would venture to affirm that the Duke of Leeds' tenantry were more coerced than those of others. That which was done on the one side was also done on the other. It was assumed at once the subserviency of the tenantry, and no one dreamt of consulting them; and if they looked to the manner in which the electors had voted at the last contest for the West Riding, they would find that, to a man, they had polled for Milton and Morpeth. There was, then, the Wigtonshire election. There the parties were nearly balanced. For upwards of three weeks, Lord Stair was made the object of a series of the bitterest attacks from the Conservative press. It was said to be a shameful, iniquitous, profligate attempt upon their liberties, to buy an estate on which there were no less than thirty votes; that he should do this to get the control of such a number of votes as were to turn the scale at the election. Now it happened that Lord Stair had been in treaty for the purchase of this estate some time before the election, and what was the grievance of which the opposite party so loudly complained—that he had got an estate, on which it was said that promises had been given to Mr. Blair before the estate became the property of Lord Stair. The hardships of the unfortunate tenantry were greatly complained of; because it was said they would be obliged to vote for the gallant officer (Captain Dalrymple) who now represented the county, and was returned but by a majority six. To hear these complaints it might be supposed that coercion—that interference with the tenants were unknown to the opposite ranks. And yet what was the fact? Upon the day of nomination, a very remarkable letter was read at the hustings. It was written by one of the greatest landed proprietors of the county, Mr. Murray, who spoke of the system of coercion exercised by the Tory gentry, and stated that it was not to be equalled in the annals of electioneering profligacy, and that charge he brought to their faces before the whole country. He challenged an answer to his charge, and no man had dared to answer it. The letter which he addressed to the hon. Member for Cocker-mouth was read at the hustings by Mr. Horsman, and he would read it to the House.

“My dear Horsman,—I regret exceedingly that, owing to the second day's polling for this county taking place on the same day that has been fixed for the nomination of the

candidates for the county of Wigtown, it will be impossible for me to be present at the latter. It was my intention, but for this unlucky coincidence, to have proposed Captain Dalrymple. I should have done so because I consider him eminently fitted by his station and character to represent the county: but, still more, because I know that he regards with disgust and abhorrence that odious system of intimidation and tyranny by which so many of the Wigtownshire proprietors have attempted to stifle the honest voice of the electors. I consider these attempts to coerce the voters, and to force them to do violence to their conscience, as quite as bad, if not worse, than the proceedings of the slave-dealers on the coast of Africa. It is, in fact, a subornation of perjury, and an effort to insult, degrade, and brutify the constituency."

So, far then, for the counties. He now went to the towns, and they found there substantially the same state of things. They knew through the election petitions sufficient of the bribery in towns; but persons were much mistaken if they supposed that intimidation was confined to the counties. On the contrary, they found the most cruel variety of intimidation exercised on the borough constituency. In the towns every man was known to the other; and the means were diligently employed, with respect to the elector, "how to get at him." The great inquiry, as to the most active agent, was one who knew the different electors, and, to use the phrase, knew how "they were to be got at." It began with the elector at the registration courts—it followed him in his business—it visited him at his lawyer's, and went with him to his banker's—it was to be found with him at his creditor's—it pervaded and perverted every relation of social life. And then, when the election came on, there was the odious personal canvass—there was exclusive dealing—there was the published list of voters, as at Cambridge, the seat of one of their universities—there was the mockery writs for ruin of the honest man, who had voted according to the dictates of his conscience. The book that he now held in his hand, and from which he was unwilling to make any extracts, contained the evidence which was taken before the intimidation committee. He did not want the book, for he had enough of new matter without it; but it would be found to teem with facts such as he described. And was it not, he asked, disgusting, that while they went through the form of those inquiries, while that House was pretending or affecting to disbelieve the facts stated to them,

still the strings of the whole machinery of corruption should be held by some five or six members sitting on the two opposite benches—that it was they who chose the candidates who controlled the funds, and who, according to the demands of the constituency to be supplied, pitted them against one another, according to their respective means, and then came back there to boast of their public purity, and to visit with the virtuous indignation of Parliament the unhappy agents who might be detected in the execution of their plans, and to whom their party was indebted for its success. This was the truth, and they all knew it. It was known to both sides; and when they talked of the possible corruption that might exist in America, because they held their Caucuses, he said that they were nothing to equal in power and profligacy the Caucuses which they had established here. The noble Lord on the one side, and the right hon. Baronet on the other, he believed stood aloof from them; but still the Caucuses to which he referred were a part of the machinery of the Government, and persons high in their confidence were employed to work that machinery. He thought that the ballot would break up this system, and nothing else could. They might try legislation, but it was his opinion that bad habits were stronger than the best laws, when there was a perverted morality to sanction the violation of the law. But when the law failed, they would find that did something by giving up the power to do wrong. When the law failed the ballot would slip in, with its silent efficacy, to correct the abuse which the law did not reach. Let them once make the voter aware that secrecy was his safeguard and his right, and that it was given for the purpose of protecting him, and the whole of the mischief would be put an end to. If the publicity of the vote were the ground of reward or punishment, a man would not be punished on suspicion—the tenant would not, could not, be ejected on a mere suspicion; it would not be done, when it could not be proved that he had not complied with his landlord's desire, unless it was that a man wilfully would add oppression to injustice, and he believed it would soon be found impossible to reconcile the consciences of men to the exercise of any such powers. It was his belief that men would cease to exact promises, when they must know that it would lead to no certain result. He was quite aware of the answer that would be



given to this—that it would encourage men to break their promises—that it was immoral and un-English. All pretty phrases, coined to aid corruption in the foul use of bad means to attain the worst ends. But he might answer these questions by asking another—Was it moral for one to vote against his conscience? Was it English that he should be brow-beaten or bribed? The voter cheated the State when he voted for a man that his better judgment disapproved, and was induced to do this influenced by hope, or oppressed by fear. If the State placed a barrier between corrupt influences and the man who had the vote, those who would trench upon the natural rights of their neighbour, and violate the law, could not complain if they were defeated in the bad end they had in view. For himself, he believed that intimidation would be put an end to by the ballot. Let them, then, see how it would act on bribery. No one could make out that he had redeemed his conditions on which the bribe was to be given. They must then come to a wholesale bribery of the members of the constituency, if it were brought into operation at all. Two things, then, must be necessary. First, the constituency must be very small; and next, thoroughly corrupt. There must not be one honest man on either side, or otherwise the system must be exposed at once. As to the size which the constituencies ought to be, that was a matter which he did not mean to mix up with the present discussion; although he had a strong opinion upon it. He believed it to be absurd that the same political power should be given to Harwich and the West Riding. He would admit, then, to his opponent that the constituency must be small, and it must also be corrupt, for the due execution of their plans. He attached some importance to this point, because he was for some time of opinion, that provided they bought the whole of the constituency, bribery would be facilitated by the ballot. Let them admit now that all circumstances concurred in their favour—that the candidate had chosen as his agent an old tactician—a man well acquainted with all the tricks of the day. Let him tell to that man that he had lodged 3,000*l.*, that he should have 200*l.* and his fee, if he were unfortunate, but that he might dispose of the whole 3,000*l.* if he were successful. Now, they must place themselves in the confidence of a great number of persons, who were to receive their 6*l.* or 8*l.* for a

vote. Let them then suppose that the votes were covered by the number of promises given, they had then to come to a division of the spoil. Let them recollect that they would have no proof of a man's claim beyond his own assertion—they had no check upon him but his conscience—and of 300 voters, they might rest assured of, they would have 500 claimants to satisfy. They dare not reject any one claimant without the fear of being exposed. Even all those who had voted for the defeated party might, and, no doubt, would, come forward as claimants. Let them look to see what check they could have upon their consciences. Let them put a 10*l.* note upon one side, and a Sudbury conscience on the other, and they would find that the man who held the bribe in one hand and the Bible in the other would be one perfectly ready to come forward and swear he was entitled to the bribe he had not earned; and, in point of fact, double the amount should be paid, in order to buy the whole constituency. A single rejected claim must terminate in making the election void, for the inducement must be public and the distribution easy of proof. It was a mistake to suppose that the House would not retain its jurisdiction in a matter of this kind. In all matters relating to bribery or personation on a large scale—free access to the poll—proper formation of register of votes—the jurisdiction of Parliament must remain the same. Wholesale cases of bribery could be visited by punishment from that House as it was now; and the noble Lord's bill could then be brought into exercise with greater effect than it could now. It was, he knew, fashionable to say that the ballot could not secure secrecy; but the real objection to it was, that it would, and all knew that it would. The efficacy of the ballot was its great recommendation. It would put a stop to intimidation in others, and it would diminish the probability of bribery; but he believed that the ballot would do much more—it would give a healthy tone to opinion. It would make canvassing what it ought to be, the reverse of what it is. It would make it an appeal to the intelligence of the electors, and not to their sordid interests; it would make an honourable communication between man and man, and not by browbeating, by mean cajolery, trickery, and fraud, as it was now. One noble Lord had declared the franchise to be a trust exercised for the benefit of the non-electors, and that it would be unjust

to deprive the non-electors of their control over it. Now, if the non-electors not of the upper classes attempted to exercise that control, they could only do it in such numbers—it could be only by that coarse and clumsy intimidation which the law would put down, and very properly so, because it was akin to physical force: while influence which came from above had so many decent pretexts, and so many a specious garb, that it could never be reached or punished, nor prevented of having the opportunity of punishing the elector who had voted according to the dictates of his conscience. He believed that the beneficial influence of non-electors would be more fully exercised if all illegitimate influences were withdrawn. But then, if the argument of the noble Lord were good for anything, it was good for this, that it went to show that there ought to be an extension of the suffrage. It proved that large masses were excluded from the franchise who ought to have the constitutional means of making their influence felt. Then, he said, enlarge the constituency—widen the basis—admit those who were now excluded. Such a change he considered as desirable—such a change he believed to be inevitable. If he did not think the ballot would advance it, he should not be its advocate that night. But then those opposed to the ballot said it would destroy the legitimate influence of property altogether. He believed there was but little foundation for such an assertion. He did not think that one particle of legitimate influence would be lost through the ballot. He believed that character, intelligence, and worldly advantages, where they were wisely and properly used, would retain their influence with the ballot as well as without it. But the whole of the fallacies on this subject were so admirably exposed by one of his own constituents, that he could not refrain from reading a short extract:—

“The higher classes in this country have so long exercised a power over the community by means of the brute force of rank and riches, applied to the hopes and fears of those below them, that they have accustomed themselves to regard it as a salutary and even necessary control. It has relieved them, too, from a great part of the trouble of being intelligent, active, and virtuous. They have found it much easier to arrive at the office of legislator by throwing away a few thousand pounds for a seat, or ejecting a few miserable tenants, than by winning affections through their virtues, or commanding esteem by their superior intelligence and well-directed activity. They

dread a change which would annihilate that unjust influence in elections which they have hitherto enjoyed from mere wealth and station; and, apprehending that to maintain themselves on the vantage ground where they have been set down by fortune they would have to task all their faculties, they shrink from the hardship of being useful, and recoil from the labour of thought.”

Now, there was no man who knew what numbers of statesmen and orators the English aristocracy had given to the world, who must not say that there were brilliant exceptions to Mr. Bailey's views. The fact was, that the ballot would compel the aristocracy of the country, as a class, to forego adventitious advantages, and to throw themselves, as it was said by the right hon. Baronet that he did, upon the reason and the intelligence of the community. It was, he said, “a consummation most devoutly to be wished.” He was not one who would wish to shut out wealth and rank from the legislation of the country. He thought with Mr. Mill, that the business of the Government “was the business of the rich;” but, then, he wished them to arrive at it by fair means; he wished them to raise their own character as well as that of the community, instead of depraving both, which the present system of open voting was now doing. They ought, he said, to change that system, of which it was impossible to exaggerate either its evils or its dangers. He believed that if it were allowed to go on for a few years longer, it would destroy this country, for the system formed the basis of morality, of honesty, and feeling, and it was in principle a huge word of mockery and contempt. It would waste the strength and substance of popular government, and leave them nothing but the semblance and the shell. Who was it, he asked, that gained by it? Was it individuals?—No; for let them look to families that had been beggared by it. Who gained by it? was it patrons?—No. Why, if history taught them anything it taught them this, that nothing was permanent or safe in a rotten system. Why, if there was nothing more noble than a proper object of ambition—if there was nothing more honourable, nothing more lasting, nothing more worthy of affection or respect, than the character of an honest man aiming to be the leader of a free people, and having his command over them, upon their intelligence and public virtues; so there could be nothing more precarious and nothing more fluctuating.

ating, than that power which was based upon general demoralisation, and dependent upon its caprice. It was to this that all parties were verging, and as the best means which his humble judgment could suggest, he called upon them to renounce the power which was the origin of the abuse, to throw themselves upon their public merits and their public services, and, standing upon public opinion, to put an end to that odious system, to put an end to the usurpations, to the tyranny, the hypocrisy, the fraud of which open voting was the source, by giving their assent to the motion which he respectfully placed in the hands of the Speaker, "that in all future elections of Members of Parliament the votes should be taken by way of the ballot."

Mr. H. Berkeley seconded the motion. He would remark upon the extent to which intimidation was carried at elections; the "screw" was unscrupulously applied. It was formed by the agent diving into the proceedings of the voter's life; by instituting strict and searching inquiries into his liabilities, and all his connections in business, and then using the knowledge thus acquired for the purpose of obliging the voter to record his vote against his conscience. In the country, those most subject to the operations of the screw were small freeholders, or those holding property under those little connected with the county. Those persons had an idea, an antiquated notion, that they possessed some little right to vote according to their consciences. But the corn factor acted as the screw upon the corn farmer in the rural districts; the brewer acted in a similar way with respect to the hop grower; but the worst screw of all was the banker's screw. He had taken the trouble of inspecting memorandums contained in the books of Tory agents in various parishes, and he found such entries as the following:—

"Mr. So-and-so. See this man; he works for So-and-so. Has borrowed money on a bill. See the attorney. Is a publican, behind-hand with his brewer. Has borrowed money on a mortgagee. Find out the mortgagee."

Now, was this a manly system? Was it a system which could be supported on the ground that the ballot would introduce unmanly practices? He now came to the tenantry on large estates. It was true, that they had a high pressure engine of *their own*, in the shape of a landlord. It

was as notorious as the sun at noonday that the landlords of great estates took the votes of their tenants as regularly as they did their rents; and the process of enforcing one was just as summary as that for enforcing the other. If a man was backward in his rent, the landlord distrained him; if he was backward with his vote, the landlord ejected him. The landlord would wink to his steward, "Send my fellows to the poll, and make them vote for Mr. So-and-so." And so the tenantry were sent to the poll with about the same ceremony as they themselves employed in driving their beasts to the next market. The quadruped was sold in open market, and was then doomed to the knife; the biped was driven to the polling-place; and what were polling places in such cases, but mere moral shambles, where the life of the victim, indeed, was safe, but where his liberty of conscience, and consequently his independence and self-esteem, were for ever sacrificed. Yet, in their love for truth, they addressed the poor object of the screw, and showed their consistency, by dubbing him a "free and independent elector." Free! free to do what? To vote as he pleased? He was not. Independent! Independent of whom? Independent of his landlord. They knew it was a farce. The franchise, in these cases, was like the air-drawn dagger of *Macbeth*, offered to the eye, but impalpable to the grasp. And these men were the boasted yeomanry of England, whom they praised, whom they went out of their way to praise; for let the army estimates, or some such subject come on for consideration, and should some intrepid Member dare to say one word in depreciation of the merits of these men of the yeomanry, either as military or constables, one side of the House would straightway burn with squirarchal indignation, or bristle with yeomanic valour. They denied these men independence: they legislated for them; and this gave cause to the complaints of class-legislation. What was the fear which prevented landlords from giving their tenants free liberty to vote as they should see fit? Did they dread the loss of political influence? That was, he believed, what they dreaded. Unjust and undue influence would of course be lost by the operation of the ballot, but no influence would be lost which ought to be enjoyed. The landlord should stand in *loco parentis* to his tenantry; but those landlords who

entrusted their tenantry to the tender mercies of a steward, let him be as honest as he would, and who only visited his estates for the purpose of shooting a partridge or a pheasant—such a man would always be regarded by his tenants as step children regard a step father. By the operation of the ballot such a man would in a great measure lose his influence, and he deserved to lose it. He considered the hereditary landlord of a body of tenantry as placed in such a position that if he well fulfilled his duties, the performance of those duties would shine back on him and benefit himself. Such a man need never fear the ballot. It was a libel on human nature to say so. Having said so much with respect to county constituencies in general, he would now advert to that which he represented. In the former part of the evening he had presented a petition, numerously signed, from the city which he had the honour of representing. He considered that that petition had been entrusted to him in the way of a brief, and acting on that consideration, he might appeal to the petition to prove some of the allegations which he had been making, as at present existing in the constituency of Bristol. The hon. Gentleman read extracts from the document in question, setting forth that bribery existed in Bristol to such an extent, as called forth the deepest feelings of disgust and indignation in the breast of every honest man, and that the system of intimidation was still more extensively acted upon. First, as regarded bribery at the election in 1837, money to the amount of 5,000*l.* was expended by the Tory party in Bristol, and somewhere about 2,500*l.* by the Liberals, amounting altogether to a sum of between 7,000*l.* and 8,000*l.* None of this money ever passed through his hands. He stated this circumstance merely on the authority of hearsay, and if they were to ask his hon. Colleague whether he believed that this money was spent legally and constitutionally, he did not know what his answer might be, but he knew that his own to such a question would be in the negative. He had more evidence as regarded the election of 1841. He held in his hand a bill issued by Mr. William Fripp, dated the 29th of May, 1841. [The hon. Gentleman read the document, which stated that Mr. Fripp declined being put in nomination, because it was made a condition that he would contribute a greater sum of

money than was expended by the Tories in 1837.] The hon. Gentleman continued. Upwards of 10,000*l.* was required to be paid for the city of Bristol in 1842. They did those things there boldly. Even in the municipal elections of Bristol he had seen printed on the walls in large letters the ominous words "vote for blue—money no object." He did not think that there could be much mistake as to what the 10,000*l.* was required for. He now came to the intimidation part of the subject. Here he had a hand-bill issued at Clifton, dated June 29, 1841. This document was distributed at all the hotels of that watering-place as a guide to the visitors in selecting tradesmen, in order to promote exclusive dealing. That was a fact which could not be denied. He had, too, another piece of evidence to lay before the House. He had already referred to the proceedings of agents; and he had here a document for the instruction of these personages, issued by the Conservative Association. It was ruled with ledger lines, and furnished with printed heads for the direction of candidates. Nothing could be more proper than that the names of the voters should be thus laid before the candidate, but here the screw was to be applied, not however, at the discretion of agents, for there were printed directions for its application; but he trusted that such contrivances were peculiar to Bristol. In the first place, there was registered the name of the occupier of the House; next came that of his landlord; next the landlord's residence and principles; next the names of persons likely to have influence with the occupiers, and then a space was set apart for general remarks, relating to his circumstances, &c. Now, he thought that he had made out something of a case in support of the petition which he had presented. He would add but a few words more in regard to his own canvass. When he canvassed the city of Bristol in 1837, neither an easy nor a pleasant task, the principle feature of the canvass struck him as being the number of electors, who expressed themselves interested in the success of the cause for which he appeared, and the evident power which existed in keeping those persons from supporting him at the poll. He would mention the instance of the second or third man whom he visited on his first day's canvass. He had entered the shop of a small tradesman; the owner

came forth, and seemed to meet him with the greatest satisfaction, and congratulated him in appearing as a candidate in what he called the "old cause." He then expressed a hope, that he (the voter) would allow his name to be placed upon the list as promising a plumper in his favour. He, however, declined. He then said, "If so, then I presume you will give me one of your votes." The man actually burst into tears, and exclaimed, "I not only cannot vote for you, but I must give both my votes against you." At that moment a gentleman who was with him came into the shop, and seeing how matters stood, took him by the arm and led him away.

"If you stay," (said the gentleman in question), "a moment longer in the shop, John So-and-so will promise you his vote; if he does promise you his vote, he will keep his word, and if he keeps his word, he and his family are ruined for ever."

When such instances came before them could any language be too strong in which to characterize them? For himself, he turned away with honest indignation and blushed to be a man. He glowed with indignation at the way in which honest men were defrauded of that which was their right. He would mention one case more—that of a man, who had reported to him that he had always been compelled not only to vote but to register; and he had complained to his hon. Friend, the Member for Halifax, when he stood for Bristol, that he felt that he should be compelled to vote against him; and in order to prevent this, he contrived to get himself struck off the register. When the next registration time came round the Tory agent came with it, and he said to the person in question, "You put yourself off the register last year—if you do so again it will be visited on you as if you had given your vote for the Liberals, for your landlord is determined that no man shall live under him who does not vote as he orders." This man had used all manner of subterfuges to avoid voting. At one time, he had taken physic, and sent for a doctor to give him some more, which he hoped would make him worse. What was the consequence? On the day of the poll, a Tory doctor was sent to wait on him with a sedan chair, in order to carry him to the poll. The doctor accordingly felt his pulse, pronounced him to be in perfect health, and he was accord-

ingly marched off to the poll. He did not intend to charge these practices as existing solely among the Conservatives; far from it. He did not wish to treat this as a party question, but it so happened that the instances which he had quoted had come under his own notice, and they were all on the Tory side. If his hon. Friend and Colleague were present, and inclined to greet him with a *tu quoque*, he would willingly meet him. Knowing his character, he was sure he would say nothing but the fact, and if he said that similar practices existed among the Liberals similar to those which he had proved had taken place amongst the Tories, he would say to him "then join with me—let us put down those evils—walk into this lobby, and vote for the ballot."

Captain Layard would give the motion his warmest support. He believed that honest and conscientious men would use the ballot as a shield to protect themselves from oppression in the conscientious discharge of their duties as electors. They were told of the increase of falsehood which the ballot would give rise to; but had similar arguments proved any stumbling-blocks in the way of recent measures? Did not the right hon. Baronet at the head of the Government believe that falsehood and perjury would follow from his own Income-tax? Was it because a man was sometimes foolish enough to make promises, and then wicked enough to break them, that the community were to be deprived of the benefits which would flow from a great measure like the ballot? He feared that the bill of the noble Lord the Member for the city of London would not prevent intimidation, although it might put a check to the progress of bribery; and with these views, he could not but support the motion of the hon. Member for Sheffield.

Mr. Christie: I should have thought, Sir, that on a question of a measure in favour of which there is certainly a considerable feeling among the public, some of those who are presently in such numbers going to vote against it, would have thought it right to explain the reasons on which their votes will be given. But, Sir, as no one has risen on the other side to answer speeches which, when they go forth, the country will think worthy of some notice, I will venture to rise, and come forth on the same side, in the hope

that I may be engaged in not altogether an unprofitable task in clenching the able recital of existing evils addressed to the House by the hon. Member for Bristol, by putting a new one or two of the principal points of the question which has been so clearly, ably, and comprehensively treated by the hon. Member for Sheffield. Now, Sir, first of all, what is it that we propose to do by the ballot; and how is it that we expect to do what we propose to do? The hope and the object of those who support the ballot is, to diminish, to a very great extent, the practice of bribery and intimidation at elections; and I beg the House to mark the word "diminish." We expect to diminish bribery and intimidation. We don't hope entirely to remove them—it belongs to no human expedient to be entirely successful; but we say, that the ballot will diminish these evils to a very great extent; and, being an expedient that will be most simple and direct in its operation, stopping the briber and the intimidator in the doing of the foul deed, instead of waiting till the deed is done, then to punish him, and act on others by example, it will diminish them to a greater extent than any other expedient which can be suggested. Now, Sir, this distinction being observed, there is an end at once, of a very favourite argument with opponents of the ballot, which consists in alleging some mode, often imaginary, but sometimes, I will admit, really probable, in which bribery and intimidation may still be practised, and then exclaiming, what becomes of the efficacy and success of the ballot? For instance, it is said that if the vote cannot be seen as it is given, for a person anxious to punish a voter, there will yet be other ways of coming to something like a knowledge of his vote. Or again, if there is no intimidating or bribing a voter to give the vote you want, you may still intimidate or bribe a man to stay away; now, I say, granting all this, and a great deal more, what does it prove, but that, first, bribery and intimidation will be more difficult of practice with the ballot than without it, else why resort to these clumsy circuitous expedients? And secondly, that the entire removal of these evils is not to be looked for; while at the same time, the ballot may be most efficacious and successful to diminish bribery and intimidation. The diminution, then, of bribery and intimidation, being the object of the

ballot, how is this object to be attained by it? Simply in this way. The voter will deposit his voting-card in the box unseen by any one, and may thus elude the intimidator, and foil the briber. I don't say he will, but he may do so. Had the voter promised his vote in deference to a threat, or in return for a bribe, he might keep his promise, but the intimidator or briber could never know that he did, could never know that the threat had not been nugatory, that the money which had been paid had not been thrown away. In this state of necessary uncertainty, as to the result, will threatening and bribing of voters continue undiminished? Will a man, as heretofore, incur the labour and risk the odium of intimidation, when he has no longer the means of securing its efficiency. Will a man give his money for a vote when he cannot see that vote given, and cannot know, except by the assurance of the voter, which, in a case of a man who has taken a bribe will hardly convince, whether the vote has been given to him or not. I say, then, that the ballot will take away the inducements to bribe and intimidate. And now, Sir, I come to consider by anticipation—as by anticipation I am compelled to do it—to consider one or two objections often brought against the ballot. One of these is, that the franchise is a trust, and that those in whose behalf the trust is conferred, the unrepresented portion of the community, should see the vote given, and control the exercise of the trust. Why, Sir, if the unrepresented portion of the community is not invested with the franchise because it is judged unfit to hold it, what is the consistency and propriety of saying, that this portion is fit to control those who, by reason of superior fitness have the franchise. There is another objection made to the ballot, that of its tendency to encourage lying, and indeed (it is generally put thus) of its doing the good that it is intended to do through the medium of lying, enabling a man to promise his vote one way to his landlord or master, or to a briber, and then, under the protection of the ballot box, vote the other way. Now, Sir, I wish to deal fairly with this objection; and I will therefore say, at once, that I do not at all agree in the answer generally made to it, that the man who would tell the lie, if he voted secretly, would vote under the influence of a threat or a bribe, and give the

lie, therefore, to his own opinions, under a system of open voting, and that the unconscientious vote being a lie, no additional harm will come of the ballot. Now, Sir, I say, this is no answer at all; and I say at once, that I can see no comparison between the actual lie in the one case, and the metaphorical lie in the other; and that if I believed no other answer could be given than this, I would at once yield to the objection, and cease to advocate the ballot. But, Sir, let us consider this objection a little more closely. The way in which the ballot is to act, is by rendering threats profitless and bribes to no purpose, by taking away the motives to spend money and exercise the influence of one's position, by removing therefore all occasion for those questions which, if men have bribed, or have threatened, or intend to threaten, it may be very natural for them to put, but which, if they do neither the one nor the other, would be entirely useless, and would not be put; and if questions are not put, lying answers cannot be elicited. And he, by way of another answer to this objection, would say, are corrupt constituencies anxious for the ballot, which they ought to be, if the ballot is merely to give to corruption the additional protection of mendacity? What does Sudbury say? In the extracts which have been lately made from the handloom weavers' report, I find that the ballot is there the most unpopular of topics. [The hon. Member then read an extract, to the effect that a candidate had been damaged at Sudbury by the support of the ballot.] I believe, then, candidly, that the ballot will not do mischief in any proportion to its good, and that it will effectually diminish the evils of intimidation and bribery, which now so widely prevail, and the effects of which are to degrade voters, lower the tone of feeling among persons who resort to these practices, and foil the purpose for which the Reform Bill has bestowed the franchise. And if the ballot will do this, it cannot now surely, Sir, be needful, when every day unfolds to us some new tale of corruption worse than that which went before, to impress upon the House the necessity of adopting it. Rather would I say that, next to giving bread to those who are starving, it is our first duty to stay this moral pestilence which is fast spreading day by day, and which, as it spreads, threatens to destroy all honour, *virtue, truth, courage, manliness, among*

the humbler orders of our society. And I hope I may be forgiven in saying, Sir, that when I had heard the right hon. Baronet opposite; at the head of her Majesty's Government, more than once make his tariff and his Income-tax the reason for postponing investigations into bribery, or declining to undertake legislation upon the subject, which has, in consequence, been undertaken by the noble Lord below me, I have thought—presumptuously it may be, but yet sincerely—I have thought that this was not the course which should be taken by the first Minister of the country on a question more vitally than any other question affecting the morals of the nation, and, as a moral question, requiring his first care. Why talk of the credit of the country, which the Income-tax was to maintain, or of its military renown, which it was to give the means of upholding; or talk, again, of the glory of our commerce and manufactures, which your tariff, without any adaptation to the effect, is yet in some miraculous way to restore? Why, at a time, Sir, when the virtue and morality of the nation are in peril, and those who aspire to power are doing their worst to make slaves and base hirelings of the electoral body, and are perverting those institutions, which were given for freedom's sake, and to elevate those who hold the franchise to the enslaving and debasing of our countrymen—I say, if the measures of the Government were infinitely less exceptionable, and infinitely more likely to do good than they are, must it not occur to every one who sees and trembles at this work of demoralization which is proceeding, that, unless it is stopped—and stopped instantly—all these promises of material prosperity and of fame with other nations, must be at an end; and for a people whose internal elements of greatness have gone, they will be nothing better than so much gilding and tinsel hiding filth and rottenness within. If you will adopt the motion of the hon. Member for Sheffield, you will, I believe, indeed serve the cause of morality, while you at the same time vindicate the electoral institutions which we have, and, preparing for their yet wider extension, gives a worthy impulse to the social and political progress of the nation.

Mr. G. Vernon, after a considerable pause, and loud calls for a division, spoke to the following effect: Sir, I had no intention to address the House on this

motion, but I think it imperative on me to interpose in order to prevent a division on it in a House so thin as to afford to the country no fair criterion of its opinion. This is the first discussion of it in a new Parliament; and, as I believe the question to have lost ground in this House, I am anxious that no false impression shall go forth on that matter owing to the accidental absence of Members. Under other circumstances I should have remained silent, in the conviction that this subject has been already settled in the mind of the thinking public, not only by its frequent discussion during the last ten years within these walls, but still more by the able pamphlets in which it has been treated since those discussions. I may refer especially to one, the composition of a clever divine, whose reasoning on this subject appeared to me not less remarkable for the cogency of its demonstration, than for effectiveness of its wit. I rose from its perusal satisfied that if the question should be revived in this House, it would be sufficient for any one to refer Members to the argument of that pamphlet, and that having done so, one might address the Mover thus: "*Solvuntur risu tabulæ; tu missus abibis.*" I will briefly notice the prominent topics by which the Members who have preceded me have supported the motion; and especially was I tempted to rise to protest against the remonstrance addressed by the Member for Weymouth, in forcible language, to the First Lord of the Treasury. He has appealed to him not to confine himself to attempts to impart material benefits to the community by his tariff and other measures tending to their physical welfare, but rather to attend to the furtherance of their morality and virtue. Now, it is on this very point of the operation of the ballot on the morality of the people that I should be most desirous of joining issue with its supporters. If there be any means of rendering it effective as an instrument for its proposed end, if its authors should succeed in making the public avail themselves of its alleged protection, it would convert the habits of the electoral class into one continued lie. Cunning would flourish through the land. Let us consider the cases which the Member for Bristol has cited in a serio-comic speech. I hope that the descriptions which he has given from copious means of knowledge of the habits of electors, and of influential parties in the county of

Gloucester, are not a fair sample of the practices of other parts of the kingdom. Wherever they prevail they are to be deprecated—but how would the ballot remedy the grievance. Take, first, the case of his poor tradesman. It seems that he was known by his habitual acts and language to be a Whig, and was grieved to be compelled, by the fear of ruin in his business, to vote at the last election for a Tory. Now, if his vote had been cloaked by the ballot, no one would doubt that he would have given it according to his professed sentiments, whatever protestation he might make to the contrary in order to save his custom. The result would be, that the custom would be withdrawn by anticipation, and transferred to some tradesman of recognised Tory principles, and thus this tradesman would actually be ruined, and be thereby incapacitated from exercising the franchise at all. He clearly prefers at present the privilege of uttering freely his political opinions, and giving his vote for a Member of Parliament contrary to those opinions. Whatever may be urged as to the political result, at least to the elector himself, this state of things is much more agreeable than the alternative of ruin, or of a life of dissimulation. There is little satisfaction to a man in professing political opinions, or even the exercise of political privileges, if it must remain a matter to which his own conscience alone is privy, and if entertaining those opinions, he is regarded by his neighbours as belonging to the party opposed thereto. Now, as to the landlord. If the stewards at present exert on their behalf so stern a despotism as has been alleged, and which I do not believe to be true to that extent, such landlords and stewards would not hesitate to adopt the methods which would still be open to them to enforce their political opinions generally in defiance of the ballot. There would arise a deplorable system of spying and watching the conduct and language of the tenants, and only such tenants would be retained or selected as left no doubt of their political tendencies after a jealous scrutiny. I do not say, that I believe that such a result would be general—because I am convinced that the manly spirit of Englishmen would generally repudiate the proffered protection, and would take pride in proclaiming their opinions and their votes—but, even then, there would remain room for painful sus-



picion and malevolent insinuation, which would demoralise many more than the few who might reap casual benefit from the disguise. It has been assumed that the influence of the landlord over the tenant is that of coercion. I believe abstract political opinions to be rare in the class of agricultural tenantry; and, on the other hand, the mutual relation being that of benefits received, and of a common interest, the tenantry entertain a feeling of pride in supporting the cause of their landlord, and act willingly in concert with him from the "*Esprit de Corps*." Now, as to bribery, I will mention a fact which came to my knowledge as to the borough of Sudbury. It was proposed to two gentlemen to become candidates for it on the terms of their paying 3,000*l.* a piece on being elected—one of them asked whether a severe contest was expected—he was told that if a contest should arise it would probably cost less, the stipulated sum being in fact a contract price for the entirety of the voters. Thus engagements would be made conditional on the success of the party under the ballot system, in which every voter would become interested in securing his share by supporting the candidate whose credit stood highest on Change. The complaints at present made by tradesmen and others of injury endured in consequence of independent votes must not be received with too implicit faith. They often proceed from jobbers, who hope by representing their loss of one customer of the one party to obtain, perhaps, ten from the other, under the colour of being a martyr to their cause. The Member for Cork county, who professes loudly the doctrine of purity of election, and who has, nevertheless, avowed the expenditure by his friends of 16,000*l.* at his first Clare election, must have become well aware on that occasion of the exaggeration and fraud employed by parties alleging loss or injury, and seeking indemnity or compensation. It may be fairly assumed, that as between the great parties which divide opinion in this country, there would be little gain or loss by any of the protecting effects which its advocates augur from the ballot. Possibly, however, some increased strength might be acquired under that system, in any contest between the holders of property and those who possess none, by the democratic party, which I should regard as a mere evil, menacing the framework of our well

balanced Constitution. It has been plausibly urged by the hon. Member for Sheffield, that the unrepresented population have no claim to exercise control over the electoral class unless we admit them to be also entitled to share the franchise, and he thus meets the argument against the ballot derived from the responsibility to public opinion which ought to attach to every exercise of a public trust. But it is a very different thing to invest the whole community with the means of acting by opinion, as a constant check, from what would be the result of imparting direct power to the masses. The average operation of opinion in a well-governed population may be right and salutary; while on occasions of excitement, the precipitate and tumultuous exercise of actual power on their part might be inconsistent with the safety of the state. I am, therefore, desirous of seeing the franchise used subject to that controlling influence. The irregular exertion of that influence, whether by intimidation or bribery, is doubtless an evil, but it is an evil less than the universal demoralization which would ensue from the ballot, if it should ever be made effective. I must add, that during this Parliament no demand has been made by any considerable number of petitions to obtain this measure. I do not believe that the people at large desire it. It is a temporary cry raised at every contested election, under the influence of excitement or disappointment. As to the spread of bribery, which is proclaimed as the special reason for renewing the demand for this remedy, I am afraid that its prevalence results from causes incident to human nature, and which lie too deep for acts of Parliament. For the mitigation of this evil I look for the gradual working of public opinion, which I would therefore promote by facilitating discussion instead of introducing dissimulation and distrust; and I expect a material improvement therein from the increased diffusion of education and the consequent elevation of the standard of morality among all classes of the community.

Captain Berkeley had been always opposed to the ballot, on the ground that public opinion was the best corrective of the voter. But when it was notorious that a sense of public duty did not control the voter—since it was equally notorious that he did not vote as he pleased,

he thought he had a fair reason for changing his opinion, and voting as he meant to do. He had voted for the clause in the Reform Bill continuing the freemen, because in most instances he thought they had an inherent right to the franchise; and he supported the 50*l*. clause, because he thought those who qualified under it would be likely to act with independence. For these reasons he had voted differently from those with whom he had been in the habit of acting. But those who were more clear-sighted than himself, urged that those clauses would give the greatest possible handle for the ballot. As it was impossible to go back, and as we could not now narrow the franchise, he thought the best corrective of the evils of the present system would be to pass the ballot. One of the results confidently predicted from the passing of the Reform Bill was, that it would abolish bribery. Now he appealed to both sides whether it had any such effect. Whenever a candidate was beaten (whether he happened to be on one side or the other) the exclamation was, "Oh, he must have been returned if it were not for excessive bribery." Though an act of Parliament had been proposed for the purpose of stopping it, it could have no effect in suppressing the evil. He thought the ballot supplied the only means of mitigating, if it did not remove this odious system of corruption. On the midland circuit Lord Abinger said, in allusion to the withdrawal of some actions concerning bribery, "I am sorry for it, as I should have been extremely glad to have an opportunity of investigating a practice which has been found to be the abomination of the land." With such an authority to back his change of opinion, he was not ashamed to admit, that his views on the ballot had altered.

Captain Bernal congratulated the Government on the successful trial of the "silent system" which they had made that night on the Ministerial Benches. The right hon. Member for Dorchester had called the late Government a "shabby" Government; but what could be more shabby than shirking a question which had been brought forward with the ability displayed by the hon. Member for Sheffield? Many respectable persons amongst his constituents were opposed to the ballot; but he justified his opinion in its favour on the ground that it afforded the

best means of avoiding the snares of corruption and the threats of intimidation. There was much bad morality promulgated on this subject. It was, that if the Ballot were adopted the consequence must be a breach of faith with the landlords. But nobody now complained of the betrayal of the public trust committed to the voter when he acted in violation of his conscientious conviction. Great intimidation had been exercised towards persons who had voted for him at the last election. Many an honest and independent voter was now suffering from the vengeance of an aristocratic Whig, who was graduating in high Tory principles, and insisted on his right to do what he pleased with his own. To afford protection to persons who were placed in similar circumstances, he would vote for the motion of the hon. Member for Sheffield.

Mr. Monckton Milnes said, that if the hon. Member who had just spoken had had more experience in that House, he would have been aware, that it was not the practice for the Members of the Government to rise and address the House at so early a period of the debate. With regard to the question before the House, it had been already so fully discussed, that he thought it unnecessary to occupy the time of the House by many observations, but he trusted he might at the outset be permitted to express his regret at the absence from the House of that hon. Gentleman who had, at a former period, been accustomed regularly to bring this question under the notice of the House with great ability and a calm philosophic demeanour. In reference to certain observations which had fallen from the hon. Member for Sheffield, in introducing the subject that evening he begged leave most distinctly to deny that he had ever publicly or privately, advocated the sin of bribery; but he did believe that to attempt to eradicate bribery by coercive measures was a superficial proceeding. They might provide means for the easy detection of bribery, and meet it, when detected, by moderate and certain penalties; but the real cure for it lay in the increased intelligence of the people, and their appreciation of political privileges. He contrasted the opinion which prevailed of the corrupt character of the individual Members of that House in Sir R. Walpole's time with the more honourable reputation now enjoyed by the Members of the House of

Commons. How had this change come about? It had not been effected by legislative enactments, but by the influence of public opinion, and the spread of a better state of feeling. Much had been said respecting the vast increase of bribery which had manifested itself of late years. He did not believe in this extension of bribery. He believed that a certain amount of money, which had before been expended in the purchase of rotten boroughs, was now applied to electoral purposes. But, taking all that into consideration, he was of opinion that fewer votes had been bought at the last election than at any hard fought electoral struggle in former periods. Intimidation had also been much spoken of; but when, let him ask, had there occurred such instances of the failure of the influence of great and wealthy families as at the last election? Let them look to Yorkshire. There Lord Fitzwilliam, with all his great qualities and wealth, was defeated in his own neighbourhood and among his own people by the contrary torrent of public opinion. Did not a similar case occur in Bedford, while Lord Gainsborough was defeated in Rutlandshire, and the influence of Lord Grey proved unavailing in Northumberland? Those who uttered so much declamation about the intimidation and bribery which they said had been practised, only joined in the cry of the Chartists, who, in a paper he now held in his hand, and which was signed by Mr. Sturge, stigmatized that assembly as a corrupt House of Commons. If the House of Commons had been elected by these unjust and unconstitutional means, the majority of the present Government was not a majority representing the people. But he did not adopt that line of argument, and was not therefore answerable for its consequences. He asked, what was the character of the proceedings which took place in that House night after night? It was nothing but a system of exposure. Nothing was to be kept secret, nothing to be hid, everything was to be exposed to the light of day. He confessed he had not joined with pleasure in this system of exposure. If the reputation of the hon. Member for Bridport suffered by it, he should be sorry, and if the character of the hon. Member for Nottingham should suffer from the exposure which was threatened in his case, he should also regret it. He found no satisfaction in

these things. He did not believe that by these means any practical good would be done; but he did think it most extraordinary that while this system of exposure was daily going on, a proposition should now be made to give protection to secret voting. It did seem palpably inconsistent that on the very evening which the noble Lord the Member for London had fixed upon for bringing forward his bill for the better discovery of bribery, the hon. Member for Leeds should make a motion for its better concealment. The hon. Member for Leeds surely must allow, that though the amount of bribery should be diminished under his proposed system of the ballot, yet that the amount left would be more effectually concealed than ever. He believed that the ballot would not afford any efficient remedy against bribery, whilst it would give a very large additional influence to resident landed proprietors. Therefore, in objecting to the present motion, he did not oppose it on any party grounds whatever. The real question was whether or not the ballot would not leave that intimidation, which, after all, must be considered the great corruption with which they had to struggle, unaffected. He feared that as the democratic feeling increased, and republican institutions advanced, in the same proportion intimidation would be found to prevail; and they saw that in America, notwithstanding the existence of the ballot, intimidation was very prevalent. Still, it must be allowed that there might exist a state of things requiring the ballot. He thought that at the elections for Carlow and Cork the ballot might have been of great service; and if the system of intimidation went on increasing, he could not say but that at last he might vote for the ballot himself. If opinions should be persecuted by bodies of men banded together in unions, and individual independence should be lost, then he thought the House of Commons might be induced to adopt the ballot as the lesser evil of the two. He would himself take the ballot as the remedy for an evil for which he could see no other remedy; but he did not believe that at the present moment this exigency had arrived. He held too the hope that the people were advancing in political intelligence and the appreciation of political rights, and that they would learn to value the privilege of their franchise, even at

the risk to themselves of some temporary discomfort. He believed that public opinion would make it up to those men who suffered in consequence of the independent exercise of their votes, and that any man who might be considered a martyr would in the end be no loser, and that the injury inflicted on him would at last result in his good; whilst those who had done the injury and carried on a system of intimidation would find that it brought on them nothing but degradation and shame. He was of opinion that if the ballot were established, suspicion would produce very much the same result—though not quite the same—as certain opposition to the will of a superior now produced; for the man who did wrong was not very careful as to the extent of wrong he perpetrated. Believing that there did not exist at present a necessity for so large an organic change as that proposed, that it was not called for by the people, and regarding the ballot in this sense, and this sense only, as un-English, because it would not work harmoniously with the habits and feelings of the people, he should vote against the motion. Were the ballot adopted, it would not, he felt persuaded, meet the expectations of its advocates. Great disgust would be created by its failure; and then some new organic change would be proposed; and they would thus proceed from one change to another, until, at last, they arrived at that state of things when they should not know whether the changes they made were for better or for worse.

Mr. C. Ponsonby expressed an opinion that the ballot would be found an effectual cure for the prevalent sin of bribery. Every law which had been passed had proved insufficient to check, much less to eradicate the evil; but the ballot would knock it on the head at once. The people of England were thoroughly satisfied that the representative system was corrupted at its very source. The late exposures left no room for doubt upon that subject. Ought not the house, then, to make an effort to wipe away the stain which attached to it? Let them set an example to the constituency by reforming themselves. The public were not to be deluded by the proceedings relative to bribery which had occurred during the present Session, and which were strongly marked by party feelings. Thus Nottingham was punished on the one hand, whilst

Ipswich was allowed to escape on the other. If the House wished to give the people a decided proof of their desire to put a stop to the practices which they were so unanimous in deprecating, they would adopt the motion of the hon. Member for Sheffield.

Mr. Byng said if he could bring himself to believe that the ballot would be productive of any advantage, he would vote for it; but, in the first place, he thought that the establishment of vote by ballot would essentially alter the character of Englishmen, and would be of no real service to them, because a real Englishman would never conceal his feelings and opinions. We were from our infancy brought up to love the truth—"Magna est veritas et prevalebit"—and he was certain that an Englishman could not conceal his real opinions. If he were to attempt to do so, he would be in a state of misery for a month before and for months after an election. He would be afraid of opening his lips to his best friends. If the ballot should be established it would put a stop to canvassing. Now, he always liked to come face to face with his constituents, and to account to them for every act of his life. He considered it to be an essential part of his duty to canvass as many of his constituents as possible. Once, upon the occasion of the "No-Popery" cry, a worthy friend, Mr. Alderman Coombe, who always voted with him, would have lost his election, owing to his not having had a full opportunity of explaining his vote upon that important question. Alderman Coombe would certainly have lost his election upon that occasion if his opponent had not got wet feet, caught cold, and died. In consequence of that event they had the advantage of ten days' longer canvass; in the course of which he had an opportunity of satisfying the Dissenters, who were opposed to Alderman Coombe, that they were in the wrong. In the end he and his friend were unanimously elected, and ever since then he had been fonder of canvassing than ever.

Mr. M. J. O'Connell said that the hon. Member for Sheffield had brought forward this motion under great advantages after the scenes that had taken place at the last election. The ballot was brought forward as a practical remedy for acknowledged existing evils, and the hon. Members for Bristol and Poole had shown the

extent to which those evils did exist. He could easily understand the feelings of the hon. Member for Middlesex on this subject. That hon. Gentleman had long been popular and beloved among his constituents, and well deserved to be. It was easy to understand how an hon. Gentleman under such circumstances should delight in the spontaneous expression of a crowd of electors, but all counties could not boast of a body of electors like those of Middlesex. The ballot, it might be contended, would not be found an effectual remedy against corruption. The remedy for that evil must must be one of a different nature; still he agreed with the hon. Member for Poole, that under the ballot bribery would be of more easy detection than at present; but intimidation was the evil which the ballot would have the effect of destroying; and not only the intimidation of mobs, but also that which the hon. Member for Edinburgh had well described as the more unassailable form of intimidation, namely, that which addressed itself to the pockets of the electors. It was singular that during the present debate no allusion had been made to Ireland, or to the Catholic priesthood of that country, who in all former debates had formed the staple argument of those opposed to the ballot. Now he was ready to admit that undue influence of that kind, where it really existed, could not be guarded against by the ballot. For influence of that sort there must be a different remedy; whether that influence was exercised over the elector by his priest, or over the farmer by holding out the dread that the Pope was to be brought into the country. It was lamentable that such influence could be exercised; but no legislation could apply a remedy. It might seem a paradox to some hon. Members, but he believed that the ballot, instead of leading to the commission of falsehood, would very greatly lessen it, for by taking away the power of ascertaining the way in which an elector had voted, they would to a great extent take away the inducement of inquiring into the manner in which he had voted. In the United States of America the ballot had been found effectual. He had been told of the case of a free negro there, a domestic servant, whose mistress had expressed a determination to prevent Scipio from voting, and for that purpose, on the polling-day, she had set him to

bottle some wine by way of keeping him employed. The negro went, nevertheless, and voted, and when questioned on the subject, he said he had been out to get some corks, and while the corks were measuring, he had run and given his vote. They were not now called on to discuss the mechanical part of the question—namely, how the ballot-box should be constructed, though he anticipated no difficulty in that question; but the point under discussion at present was only whether a man's vote should be his own or another's? If it was thought desirable to give greater influence to the wealthier classes, the best way would be to let them exercise that influence directly, by giving them a greater number of votes; but, at all events, let that influence not be given them by allowing them an unfair control over the votes of others. Whatever evils might be connected with the ballot, those of the present system were much greater, and with that conviction upon his mind he should give his support to the motion of the hon. Member for Sheffield.

Lord *J. Manners* thought the example of the American negro, cited by the hon. Gentleman who had spoken last, was in no way calculated to demonstrate the advantages of the ballot. He believed that the majority of the constituencies throughout the country were decidedly opposed to the ballot. If the contrary were the case would they not have heaps of petitions in favour of the measure? There was no excitement on the subject in the country—the people did not desire the ballot. This was an insuperable objection to the plan; so likewise was the extreme difficulty of obtaining the sentiments of the constituencies on the subject. The latter could only be effected by open voting, which would resolve the whole question into an absurdity. Was the House prepared to affirm that the constituency of the country was so degraded as not to be trusted with the exercise of their franchise? He hoped not, and therefore he should oppose the motion.

Mr. *Sheil*: It is more than difficult to give freshness and originality to the subject which has been introduced with so much ability by my hon. Friend, and if it were incumbent on those who take a share in its discussion to impart to it that sort of interest which arises from speculations equally novel and refined, I should not have ventured to interpose; but so far

from thinking that the ballot offers an appropriate occasion for a display of that dexterity in disputation, from which, if some entertainment, little instruction can be derived, I feel persuaded that a great and simple cause must be damaged far more than it can be promoted by any subtlety of disquisition which may be indulged in its sustinment. Where manifest abuses exist—abuses not only capable of proof, but of which the evidence amounts to demonstration, and arguments founded on indisputable facts can be so readily adduced, political metaphysics ought to be avoided. It is far wiser, in place of straining for ingenuities in favour of the ballot, to revert to those reasons which long-continued evils have long presented to us, and as it is by repeated appeals to their sense of justice, that the opinion of the people of this country is ultimately influenced, as the ballot is to be carried in the same way in which all the great changes of which we have been the witnesses have been accomplished, and as in those signal instances it was necessary again and again, and Session after Session, to urge the same obvious motives for the measures which were pressed with a strenuous reiteration upon the Parliament and the country; so in this important discussion, the circumstance that an argument has been advanced, or a striking fact has been stated before, furnishes no just reason for not again insisting upon it. I do not, therefore, hesitate to revert in the outset, although it may have been already mentioned, to what took place in reference to the ballot when the Reform Bill was originally propounded. I attach great importance to the facts which ought to put an end to the dispute regarding what is called the finality of the Reform Bill, in reference to the question before the House. The noble Lord, the Member for London, has been, I think a good deal misrepresented on this head; for some among his supporters have naturally conjectured that he regarded the Reform Bill as a monument where he should “set up his everlasting rest.” But I for one never understood the noble Lord to have spoken in the sense ascribed to him. I admit, that if the Members of Earl Grey’s Government had entered into an agreement, that not only no ulterior alteration of the franchise should be ever supported by them, but that, in reference to the mode of exercising it, no change should ever be

proposed, that compact, no matter how preposterous, might be plausibly relied upon, against those who were parties to it—against any further movement upon their part, it might be pleaded as an estoppel; but it can be proved, by evidence beyond dispute, that as far as the ballot is concerned, no such bargain as has been imputed to the Whig Government was ever thought of; the direct contrary of what has been so frequently insinuated is the truth. A committee of five distinguished men, all of them more or less conspicuous for agitation in the cause of reform, was named by the Government to draw up a plan of reform. A scheme was accordingly framed by them, and the vote by ballot formed a part of it. The measure of which the noble Lord approved in 1831 cannot be of that immoral and debasing character which its antagonists have sometimes represented it to be. My more immediate purpose, however, in referring to a fact announced by the noble Lord himself, is to introduce with greater effect the declaration made by the noble Lord on moving to bring in the Reform Bill, in March, 1841. The report in favour of the ballot was not adopted, but it was agreed, that upon the question, no decision should be formed one way or the other, and that the Reform Bill should be laid before the House without prejudice to the future adoption of the ballot. This was unequivocally declared by the noble Lord in his celebrated speech on moving that bill, which, on account of his great services to the cause of freedom, was so appropriately confided to him. I cannot, conceive, how, after such a declaration, made under such circumstances, by the noble Lord, in language as clear as the English tongue can supply, there can be any doubt as to the question of fact, namely, that the Reform Bill was not in any way to affect the question of ballot. But in the progress of that bill what befel? When the Chandos clause was proposed, Lord Althorp resisted it, declared it to be contrary to the spirit of the Reform Bill, and said that it would furnish a strong argument for the ballot. Thus, it appears, that before the Reform Bill was brought forward the ballot was proposed by certain Members of the Government. When the Reform Bill was brought forward there was an express reservation in favour of the right of thereafter proposing the ballot, and during the discussion of

the measure the leader of the House of Commons deliberately stated that a principle had been grafted on the measure which altered its character and afforded good grounds for demanding the ballot. Let us follow the bill to the House of Lords. Lord Grey made this most important statement:—He said that the agricultural interest had already been greatly strengthened by the Reform Bill; that the Chandos clause conferred on that interest an accession of influence which was excessive and undue, and that that clause, not originally contemplated by the Ministry, would furnish strong reasons for the ballot. Well might Lord Grey have said so. He had, in devising the Reform Bill, adhered to his plan of reform brought forward in 1782, and cut the counties of England into sections. This had, it is manifest, the direct tendency to augment the agricultural interest, and to strengthen the influence of individuals in the localities where their property was situated. Lord Grey, however, did not intend that tenants at will, whose subserviency is implied by their designation, should be invested with the franchise; and when he found that this vast addition was made to the local power of the landed gentry in every county in England, he saw, with his habitual perspicacity, that the abuse of that power, thus unexpectedly augmented, would lead to a demand for that mode of exercising the franchise by which that power should be reduced to its proper limits. Lord Grey foretold that the landed interest would acquire, by the Reform Bill thus altered, an injurious power. Let us turn from the prediction to its fulfilment, and from the most illustrious prophet of the consequences of the Chandos clause, to a most distinguished witness to its effects. If an ordinary man had stated in the House of Commons that the result of the Reform Bill was, that when the opinions of a few great proprietors in the section of an English county were known, it was fortunately easy to foresee the inevitable result of the election—that statement would, from its important truth, have attracted notice; but when one of the leading Members of Lord Grey's Administration—when one of the men who had been most conspicuous in advocating the cause of reform in the House of Commons, and whose eloquence was only surpassed by his spirit of fearless adventure *in going* all lengths for its attainment—

when the noble Lord the Member for Lancashire announced with an anomalous triumph, that the counties of England had fallen into the hands of a few nominators, and that, in fact, the spirit of the old close borough system had been extended to the chief agricultural divisions of England, no wonder that an admission made by that eminent person, who thus made an involuntary contribution to the cause of reform, from which he had seceded, should have produced a great and lasting sensation through the entire country. In his address to the electors of London, the noble Lord who represents it, referred to that admission of the noble Lord the Member for Lancashire, and dwelt upon the state of things in the English counties, which he described. I confess that when I read the address of my noble Friend, I could not help exclaiming, "Now Lord John must come round to the ballot." Perhaps I was too sanguine, but if to the ballot he has not come round, what remedy is he prepared to apply to the evil, in evidence of which he has thus cited the noble Lord? What is to be done? If nothing is to be done, why was the disastrous truth set forth so conspicuously and prominently in the letter of the noble Lord? Why exhibit the disease? Why disclose the foul distemper? Why conceal the gangrene in the very vitals of our system, unless you are prepared to adopt the only efficient remedy for its cure? I do think that after this admission, to insist upon the fact that there exists an undue influence which it is necessary to control in this country, is almost superfluous. It has been more than once confessed by the right hon. Baronet the Member for Tamworth that intimidation was carried to a most criminal extent. I recollect that in 1837 it was imputed to him that he had used coercion over his dependents at Tamworth, and that with a most honourable indignation he repudiated the charge, and demanded a retraction, which he obtained. I have heard him say in this House, and I believed him, that he abhorred intimidation. What will he do for its repression? You are anxious, honestly anxious, to put a stop to bribery; you have given proof of your honourable solicitude in this regard; and in this useful and honourable wish you have incurred the censures of men, who are more anxious to extend the Church, than the morality of which the

Church should furnish the example. But is bribery to be corrected, and is intimidation to be left unchecked and unrestrained? The right hon. Baronet observed that his party were not interested in supporting bribery. Passing by the reasons, let me ask, are his party interested in maintaining intimidation. You will answer—No. Well, will you do something to put a stop to it? You will say, perhaps, that the ballot will not do it. Let us consider whether it will or not, and let us at the same time consider the objections in a social and moral point of view, which are urged against it. The ballot will not secure secrecy. This objection to its inefficiency as a protection, is very much at variance with the allegations of its efficacy, as an instrument of fraud. But by the ballot why should not secrecy be secured? When applied to the purposes of social life, in our clubs, and in various institutions, it gives concealment. I have inquired most particularly into the working of the ballot under Hobhouse's Act in the parish of St. James, and I am assured that those who desire to conceal their votes can do so if they please. The majority of the householders in that parish give their open Parliamentary votes for the Tory candidates, and their secret parochial vote for the Whig candidates; and I this evening presented a most important petition from that parish in favour of the ballot. Pass to other countries—France for example. It is not pretended that the ballot does not meet the object for which it was devised. It is suggested that men who voted by ballot would betray themselves by their rash disclosures: I do not think that secrets, which might well be designated "secrets of the prison-house," from the consequences to which they would lead, would be told. But landlords would act on a conjecture—I cannot think so ill of them. The open vote in defiance of a proprietor is regarded as an insult; the secret vote could hardly be construed into an affront. Under the vote by ballot men would not be stimulated to vengeance by their political associates; they would not be cheered and hallooed on in the work of devastation; and I feel convinced, that under our present system, much of the cruelty that is inflicted, arises from the urgency with which men are invoked by their confederates to make examples of the wretches who dare to resist their will—to turn a whole family out upon the

road upon a mere guess would be a frightful proceeding, and one to which few would be sufficiently remorseless to resort. But, Sir, the real, the only substantial objection to the ballot, is grounded on the diminution of the influence which property ought to possess. The legitimate influence of property is one thing, and its despotism is another. I do not think that that rightful influence would be materially impaired. There is in every country, but especially in these countries, where the aristocratic principle prevails so much through all gradations of social life, a natural deference to station and authority, and a tendency in all classes to acquiesce in the wishes of those who stand in a relative superiority in their regard. A man may render himself odious by his misdeeds, and denude himself of the sway which property confers; such a man would have no weight, nor ought he to have it, over his dependents. A violation of the duties of property might incur a forfeiture of its rights, but I cannot bring myself to believe that a good man, who sought his own happiness in the diffusion of felicity, would not exercise over the objects of his bounty the influence with which his virtues ought to be attended. His dependents would resort to him for counsel and for guidance; his example would furnish the light by which their way would be directed, and he would himself derive from the consciousness of that authority, derived from minds so lofty and so pure, a far higher pleasure than he could find in the exercise of a stern and arbitrary domination. But supposing that the influence of property would be to a certain extent diminished by the ballot, are you sure that the influence of property has not been pushed so far beyond its due limits, as soon to endanger itself by the excess to which it has already reached? Before the Reform Bill, the nomination system was carried so far, and had created such an oligarchical interest in the state, that to save the state itself a change was indispensable. In the course of the ten years which have elapsed since the Reform Bill, how many boroughs have fallen into the hands of individual proprietors, and what formidable abuses arise from the preponderance of large properties in small divisions of intersected counties! Every day the evil will increase, and every day the demand for a redress of this signal grievance will become more loud and impera-



tive; the feeling of the Parliament, elected under peculiar circumstances and in a moment of re-action, will be at variance with the feeling of the people; the tide, having ebbed to the lowest mark, will flow back again, and sweep away the barriers that were intended to restrain it. If something be not done by those who ought to derive a warning from the past, and beware of the influences of transitory success in producing a vain and self-deceptive exultation, do not in time adopt the measures requisite to correct abuses proved and indisputable, the next requisition for a change, which shall be made, perhaps by an excited people, will be far more formidable than that which we propose, and may lead to consequences by which the worst prognostications may be realised. One, and one only remaining objection to the ballot remains to be noticed. It is said that the morals of the people would be affected by clandestine voting—that it would conduce to the propagation of the most pernicious habits—that falsehood and dissimulation would be its natural results—men would make promises which they had no intention of keeping, and suspicion and mistrust would arise where confidence and reliance now happily prevail. I am persuaded that promises spontaneously made, flowing from a free and unbiassed volition, would be observed under the ballot as faithfully as they now are; and with regard to promises purchased from corruption or wrung from fear, they belong to that class of engagements of whose inchoate depravity the profligate performance is the infamous consummation. I am well aware, that generally speaking, citations from the writers of antiquity are little applicable to our system of Government and our code of morality; the opinions of men who lived upward of 2,000 years ago have little weight, but there is a passage with reference to the moral of the ballot, in a speech of the great Athenian, which I have never seen quoted, so forcible and so true, that I shall be excused for adverting to it. "If," says Demosthenes, in his speech on the false embassy, addressing an assembly of five hundred judges, who were to vote by ballot,—

"If there be any man here sufficiently unfortunate to have been betrayed into a corrupt engagement to vote against his conscience and his country, let him bear in mind that to the fulfilment of that promise he is not

bound—that those with whom he has entered into that profligate undertaking will have no cognizance of its performance, but that there is a divinity above us who will take cognizance of his thoughts, and know whether he shall have fulfilled that duty to his country which is paramount to every other obligation; your vote is secret, you have nothing to apprehend, for safety is secured, to you by the wisest regulation which your lawgivers ever yet laid down."

To all times and to all countries, the principle thus powerfully expressed is appropriate. A dishonourable contract is void, and to the discharge of a great trust impunity should be secured. The franchise, you often tell us is a trust granted, but for whom? If for the proprietor of the soil, if for the benefit of the landlord, if it is in him indeed that the beneficial interest is vested, by all means let the vote be public, and let the real owner of the vote have the fullest opportunity of knowing, with what fidelity the offices of servitude have been performed; but if the franchise is a trust for the benefit of the community, and if the publicity of its exercise conduces to its violation, then in the name of common consistency, do not insist upon our adherence to that system of voting, by which the object you have, or ought to have, most of all at heart, is so manifestly counteracted, nor dwell upon the deception which may be practised through the ballot between those who make these false promises, and those who have no right to demand them, while to the fraud upon the country practised under the system of open voting you seem so reckless. I am a good deal struck with the vast importance which is attached by certain Gentlemen to the public morals at one moment, and their comparative indifference at another. When the ballot is in question they exclaim "Good God! shall we introduce into England a system of voting by which duplicity and dissimulation, and all the base results that follow from them shall be propagated amongst us?" But let the great Conservative leader propose a measure which he himself acknowledged to be conducive to falsehood and to perjury and most debasing in its operations, their horror of these immoralities all at once subsides and they seek a refuge from their own consciousness of the inevitable consequences of their proceedings, in the old sophism of authority, that proverbial plea, to which power has a tendency so irrepressible, whenever it is its convenience to have recourse. But there are political

as well as fiscal exigencies, and of the favourite plea of her antagonist, let freedom be permitted to avail herself. The ballot has its evils, but it is justified by necessity, and great as these evils may be, they are more than counterbalanced by the abuses which are incident to our existing system. I am free to acknowledge, that if the public exercise of the franchise were accompanied by that freedom, of which the noble etymology of the word gives us the intimation, I should infinitely prefer the system of open voting, which is more congenial with your habits. I own that an Englishman, who advances with a firm step and a high independent bearing to the hustings, and in the face of his country, gives his honest independent vote for the man in whose public virtue, in whose personal integrity, in whose capacity to serve the State he places an implicit confidence, and if his confidence by his vote gives the public an honourable proof, does present to me, advocate of the ballot as I am, a fine spectacle. Yes, some statesman, for example, the hereditary proprietor of some segment of a mountain, reclaimed by the industrious man from whom it has come down to him, exempt from all tribute, and every incident of dependency, some Cumberland statesman, whose spirit is as free and liberal as the air which he inhales, whose heart beats high with the consciousness of the high trust reposed in him, and of the moral responsibility which attaches to its performance, does present to me, in the uncontrolled and unshackled exercise of the great prerogative of the people, an object to which my admiration is promptly and sincerely given. But turn from Cumberland and its statesmen, to the mournful realities which are offered to you in the land from which I come, and look at the 104. voter who has had the misfortune to pass through the registration court, and who receives from his landlord a summons to attend the hustings, and in a contest between a Liberal and a Tory candidate, to give his vote on one side, all his feelings (feelings like your own) all his national predilections, all his religious emotions, all his personal affections, are enlisted:—perhaps on one side he sees a man whom he has long been accustomed to regard as the deliverer of his country—whom he looks upon as the champion of his creed and of his priesthood—of the land in which he was born, and for which, if there were need, he would be prompt to die—his eye

fills, and his heart grows big, and prayers break from his lips as he beholds him; and on the other side—the side on which he is called upon to vote—he beholds some champion of that stern ascendancy by which his country had long been trodden under foot, by whom his religion had long been villified, its ministers had long been covered with opprobrium, and the class to which he belongs has long been treated with contumely and disdain; for such a man he is called upon, under a penalty the most fearful, with impending ruin, to give his false and miserable suffrage; trembling, shrinking, cowering, afraid to look his friends and kinsmen in the face, he ascends the hustings, as if it were the scaffold of his conscience, and, with a voice almost inarticulate with emotion, stammers out, when asked for whom he votes—not the name of him whom he loves, and prizes, and honours—but of the man whom he detests, loathes, abhors; for him it is, it is in his favour, that he exercises the great trust, the sanctity of which requires that it should be exercised in the face of the world; for him it is, it is in his favour, that he gives utterance to that, which, to all intents and purposes, is a rank and odious falsehood; but perhaps he resists, perhaps, under the influence of some sentiment, half religious, half heroic, looking martyrdom in the face, he revolts against the horrible tyranny that you would rivet on him, and he votes, wretch that he is, in conformity with the dictates of his conscience, and what he believes to be the ordinance of his religion. Alas for him! a month or two go by, and all that he has in the world is seized; the beast that gives him milk, the horse that drags his plough, the table of his scanty meal, the bed where anguish, and poverty, and oppression were sometimes forgotten—all, all are taken from him, and with Providence for his guide, but with God, I hope, for his avenger, he goes forth with his wife and children upon the world. And this, this is the system which you, and you, but I hope not you (turning to Lord John Russell) are prepared to maintain! This is the system under which what is called a great trust is performed in the eyes of the country; this is the system under which, by the exercise of the great prerogative of freemen, open and undisguised, every British citizen invested with the franchise should feel himself exalted! Oh, lie upon this mockery! and if I can—

not say lie upon them, what shall I say of the men who, with these things of a constant and perpetual occurrence staring them in the face, talk to us of the immorality of the ballot, and tell us, forsooth, that it is an un-English proceeding. Un-English! I know the value of that expressive and powerful word. I know the great attributes by which the people of this country are distinguished, and of the phrase which expresses the reverse of these habits, I can appreciate the full and potent signification. Fraud is indeed un-English, and dissimulation, and deception, and duplicity, and double-dealing, and promise-breaking, all, every vice akin to these vile things, are indeed un-English; but tyranny, base, abominable tyranny, is un-English; hard-hearted persecution of poor fanatic wretches, is un-English; crouching fear on one side, and ferocious menace and relentless savageness upon the other, are un-English! Of your existing system of voting these are the consequences; and to these evils, monstrous as they are, you owe it to your national character, to truth, to justice, to every consideration, political, social, religious, moral, at once to provide the cure. What shall it be? Public opinion! Public opinion? We have been hearing of it this long time—this many a day we have been hearing of public opinion. In the last ten years and upwards, whenever the ballot has been brought forward, we have been told, that for corruption, for intimidation, for everything, public opinion would supply the cure—that marvellous and wonder-working principle, that sedative of the passions, that minister to the diseases of the mind, that alternative of the heart, was to extinguish cupidity, was to coerce ambition, allay the fears of the slave, mitigate the ferocity of the tyrant, and over all the imperfections of our nature to extend its soft and salutary sway. Well, how has it worked? Public opinion, so far as bribery is concerned, is given up; few, except the Members for the University of Oxford and the University of Dublin, those amiable gentlemen, among whose virtues a peculiar indulgence for Parliamentary frailties are conspicuous, would recommend that Southampton and Belfast, and the rest of the delinquent boroughs, should be consigned to public opinion. But if for bribery public opinion has lost all its sanative operation, is it in *the name of common consistency*, for inti-

midation, that this specific is to be reserved? Upon bribery, of the two, public opinion would have the greater influence. To bribery there is attached some sort of discredit; but intimidation is not only openly practised, but ostentatiously avowed. Men do not deny, but take pride in it; they applaud themselves, too, for the wholesome severity which they have exercised, and the salutary examples they have made. So, far, indeed, is the principle of intimidation carried, that a regular theory of coercion has been established, and the great patricians of the land compress their notions of their privileges into a phrase, to lay down the dogmas of despotism in some trite saying, and, in some familiar sentence, to propound the aphorisms of domination. When these doctrines are unrecanted in language, and in conduct are unrecalled—when such doctrines are defended, vindicated, and applauded—when they are acted upon to an extent so vast that it is almost difficult to suggest where they have not been applied—how long, how much longer, are we to look to public opinion as the corrective of those evils, which, without the application of some more potent remedy, it is almost an imposture to deplore? Show me a remedy beside the ballot, and I will at once accede to it. Show me any other means by which the tenants of your estates and the retailers of your commerce, and all those whose dependence is so multifariously diversified, can be protected—show me any other means by which a few men of property, confederated in the segment of a divided county, shall be frustrated in conspiring to return your fractional county members—show me any other means by which this new scheme of nomination shall be baffled and defeated—show me any other means by which a few leading gentlemen in the vicinage of almost every agricultural borough shall be foiled in their dictation to those small tradesmen whose vote and interest are demanded in all the forms of peremptory solicitation. Show me this and I give up the ballot. But if you cannot show me this—for the sake of your country, for the sake of your high fame; upon every motive, personal and public; from every consideration, national and individual—pause before you repudiate the means, the only means, by which the spirit of coercion now carried into a system shall be restrained, by which the

enjoyment of the franchise shall be associated with the will, by which the country shall be saved from all the suffering, the affliction, and the debasement with which a general election is now attended; and without which, to a state of things most calamitous and most degrading, there is not a glimpse of hope, not a chance the most remote, that the slightest palliative will be applied.

Sir James Graham: It has been truly remarked by the right hon. Gentleman who has just resumed his seat, that this is a subject to which eloquence and astuteness could add nothing of freshness, and it must be acknowledged that the right hon. Gentleman has implicitly relied upon shortness of memory on the part of those Members who sat in a former Parliament, and the absence of curiosity on the part of those new Members, in abstaining from referring to that useful repository of the proceedings of former days—I mean “*Hansard*”—for certainly everything in the splendid declamation at the conclusion of the right hon. Gentleman’s speech, is to be found in the speech delivered by the same right hon. Gentleman in 1839. The right hon. Gentleman has observed that this question is to be treated historically, and he referred to what took place when the Reform Act was introduced by the noble Lord, now Member for London. I was anxious to precede the noble Lord on this occasion, in order that if I should fall into any inaccuracy in the statement I have to make, the noble Lord may correct me. The right hon. Gentleman was not accurate in saying that the committee of Lord Grey’s Cabinet consisted of five Members. The number of Members was only four, and they were Lord Durham, Lord Duncannon, the noble Lord, the Member for London, and myself. The noble Lord, in 1836, declared that he had received the permission of his late Majesty to make a full disclosure of the councils, the secret councils, which had led to the introduction of the Reform Bill. [Lord John Russell: As much as I might think necessary to disclose.] I never received such permission, and am therefore at a disadvantage. I may, however, be permitted to say, that the committee appointed by Earl Grey’s Cabinet prepared the measure, not as one which they themselves implicitly and fully recommended, or to which they were individually pledged, but as a scheme to be considered by their Colleagues. If the ballot was a part of that scheme, it was

taken in connection with other propositions, and the whole was framed *ad referendum*; and I repeat that the measure introduced by the noble Lord opposite, the then Paymaster of the Forces, on the part of the Cabinet of Earl Grey, was the measure which, on full deliberation, we unanimously adopted, to which, as a Cabinet we were pledged, and to which we were bound individually and generally to give a firm and unflinching adherence. In 1839 I quoted what it will be again my duty to quote, in order to show what were the opinions of Lord Grey’s Cabinet, and even of those Members of it who, before the introduction of the Reform Act, were friendly to the ballot. On no one occasion have I ever supported or voted for the ballot. Not so with Lord Althorp, who, before the introduction of the Reform Bill, had voted in favour of the ballot. Observe, then, what was the declared opinion of Lord Althorp upon that question, as a Member of Lord Grey’s Government, and subsequent to the introduction of the Reform Bill. On the 25th of April, 1833, Mr. Grote brought forward his motion in favour of the ballot; Lord Althorp opposed it, and in doing so said,

“He appealed to any Gentleman who was in the last Parliament, and who knew the whole proceedings while the Reform Bill was going on, whether the promoters of that measure did not contend, that as far as the representation of the people was concerned, it was to be considered and was proposed as a final measure.”

Now, there has been some dispute as to the origin of the word “finality” as applied to the Reform Bill. The noble Lord opposite, the Member for London, has disclaimed it, and this expression used by Lord Althorp is clearly the origin of that term, for the noble Lord went on to say that,

“He had stated this frequently to the House. If he were now to vote in favour of Mr. Grote’s motion, he should be acting most inconsistently with everything he had stated during the whole progress of the Reform Bill. He was conscious that he was liable to an attack for inconsistency for the vote he should give” (he had voted for the ballot before, he was now about to vote against it,) “but if he voted the other way he should be liable to a still more merited attack.”

an attack, as the noble Lord of course meant, more merited and affecting his personal honour, because during the period of the consideration of the Reform Bill he had invariably maintained the finality of

that measure. Now, I do not urge these as binding considerations except upon those who were Members of Lord Grey's Cabinet, but I do contend, that with regard to those individuals the Reform Bill must be considered as a final measure, inasmuch as the ballot was brought under their consideration, and was, after due deliberation, rejected by them. With respect to the opinions of the noble Lord the Member for the City of London, I have hitherto agreed entirely in opinion with that noble Lord upon this question, and I have no doubt that the noble Lord adheres to the opinions which he formerly expressed. The noble Lord stands in precisely the same position with respect to this question as myself. I am not aware that the noble Lord has ever supported the ballot—I am not aware that he is now about to vote for it—yet, as far as the pledge involved by his conduct as a Member of Lord Grey's Cabinet binds him, the noble Lord certainly stands in the same position with myself. Now, what are the noble Lord's opinions? He states that he is opposed to the ballot, because so far from thinking it an efficacious remedy for the evil it professes to cure, he believes it to be a serious evil in itself. In that opinion I entirely concur. If I could believe, with the right hon. Member for Poole who spoke in the earlier part of the evening, that by granting the ballot we should be raising a barrier to further change, I would give the ballot my support, although, even then, I should think it open to great objections. But so far from that being the case, it would tend necessarily and unavoidably to induce the greatest possible change—a change as extensive as the Chartist themselves desire. With the right hon. Member for Dungarvon, I have no doubt that the franchise is a trust. The right hon. Member said, that he advisedly termed it a trust. If it be a trust, however, it necessarily involves the exclusion of a large body of the people from the privilege of voting, and were such a trust to be exercised secretly, I say that the great body of the people would speedily overbear that secrecy, and would insist either upon a return to open voting, or else a free participation in the suffrage. Therefore, I agree with those who think that, if we once open the door to ballot, universal suffrage would be the inevitable and necessary consequence. But the right hon. Gentleman the Member for Dungarvon, said, that the suffrage is a trust which might be exercised in an improper manner from fear of the consequences of its free exercise,

and that intimidation might operate on the voter. I confess I am unwilling to refer more pointedly than is necessary to the circumstances of my own position in this House, but the county of Cumberland having been mentioned, and as I am closely connected with one division at least of that county, I may be excused a reference to that part of the right hon. Member's argument. In Cumberland I am possessed I may say of considerable property, and I received the support also of a large body of the landed proprietary of that county. But yet, under the system of open voting, when public feeling ran high, and when my public acts were not sanctioned by the freeholders—these circumstances proved unavailing, and I stand here a remarkable example, not only of the independence of the freeholders, but of the independence of the 50*l.* tenants, many of whom gave votes contrary to the principles and opinions of their landlords, and in a manner which I must say was at once bold, fearless, and independent. I repeat, therefore, I stand here an example of the independence of the Cumberland tenantry at least. But I must say, that apart from all these circumstances, I am of opinion with the hon. Member for Middlesex, that the whole system of secret voting is inconsistent with the English character. I say that to preserve silence both before and after the election is impossible, and even if a man could preserve such a silence, his own acts must betray him. To carry out appearances he must belong to the wrong club, he must wear the wrong colours, he must drink the wrong toasts, he must profess friendship for the wrong man; in short he must act in discord with himself. All this it is impossible for an Englishman to do with success. If he be an honest man and a firm friend, he will not want the ballot—if he skulks he will not avail himself of it. The only persons to whom the ballot would be valuable would be those dirty hypocritical cowards—men whose faces belie their purpose—men who pretend to be your friends only to deceive and betray you, who flatter you with vain hopes of support which they have no intention to realise; men who talk of intimidation, but seek the opportunity of gratifying their sordid envy, their revenge, and that bitter hatred which, combined with their cowardice, marks them as the most contemptible of mankind. Those are the men who demand a measure that is a mere recipe,—

“To lead to lies the confidence of truth.”

The ballot is inconsistent with our manners, our habits, our feelings. It is inconsistent with that character which, I am proud to believe belongs to the people of this country. It is inconsistent with our institutions. Some gentlemen have alluded to the United States of America. I remember a passage in a speech of General Jackson in 1835, wherein he said that the American Government is supported by the ballot-box, and not by muskets; and that it is in its essence a Republican institution. In that opinion I fully concur. The ballot is republican in its nature, it is republican in its effect; and I am satisfied that, should we introduce the ballot here, not only universal suffrage must follow, but a republic would supersede our mixed form of Government. Agreeing with the noble Lord (Lord J. Russell) "that whilst the storm is brewing around us, while the horizon is black with clouds, it is well not to lift the anchors of the monarchy." I shall give my decided opposition to this motion. I am consistent in my opposition to the ballot. I have stated frankly why I have been and am, thus opposed to it, and why I believe that no circumstances can arise to change my conviction of the necessity for such opposition. Until it shall be my misfortune to despair of the state, and the institutions under which I have been brought up, and which I anxiously seek to preserve, I cannot support the ballot. I have never entertained a stronger or firmer opinion with regard to the danger of such a proposition, and I most sincerely hope that the present motion will be rejected by a large majority.

Mr. Serjeant Murphy said, that when he had heard, as he had heard with great regret, the speech delivered that evening by the right hon. Gentleman the Member for Middlesex, he could not but bethink himself of certain expressions that hon. Member had once used, and more especially that remarkable expression addressed to his constituents, "that the people of England were groaning under the great tyranny of an irresponsible aristocracy." When, too, he heard the cheers with which the hon. Gentleman's speech was received by the other side, he could not but recall to mind how he had been vilified by the party in power—how the paper of that party had attacked him—treating him with none of the respect due to his venerable age—with none of the consideration due to one of his high character and standing. The hon. Gentleman had now a proof before him that the irresponsible

aristocracy had prevailed. The unpalatable truth could not be concealed, that in the absence of vote by ballot the indomitable aristocracy had prevailed, and that the people of England were bound hands and feet, and delivered over to them. The people of England had obtained an extended suffrage, they had acquired greater enlightenment, they had secured the Reform Act, and under that act had elected the Ministers of their own opinions, which opinions they had seen no reason to change. He repeated his assertion. The people had seen no reason to change their opinions, and the cause of the change which had occurred was, that a new element was brought into play by the aristocracy—the element of corruption, which swept all honour and honesty away before it. He had been accustomed to give the right hon. Baronet the Member for Dorchester great credit for logical reasoning, but he must say that a more illogical speech than that he had just delivered he had never heard within or without those walls. The right hon. Baronet chose to assume that the ballot was a bad system, because, as he said, he had always viewed it as such. But if the system was so vile as the right hon. Baronet had described it, if it was "mean, dirty, paltry, and cowardly," if its natural tendency was to render man a hypocrite, why, let him ask, was a system so bad recommended by the right hon. Baronet himself in his report as one of the committee to draw up the Reform Bill in 1832? He had tried to address his mind to get the right hon. Baronet out of this dilemma, but he defied any man to reconcile the present description of the ballot as base, mean, vicious, and hypocritical, with the recommendation to adopt it which was made at the period of the Reform Bill. Did the right hon. Baronet deny that his report in which he recommended this vile system of ballot was framed *ad referendum*? He said that he who made the means to secure the end was as bad as he who adopted them; and he asked, if a 20*l.* franchise would have answered as a code of morality in 1832, was it in 1842 that 10*l.* was to make a difference? The right hon. Baronet and the noble Lord the Secretary for the Colonies, as well as most of the others who changed their opinions with them, were very apt to refer to what they were pleased to call the finality of Lord

Grey's Reform Act? But he would ask was this Lord Grey's Reform Act? Was it Lord Grey's act now that it contained the 50*l.* tenantry clause, which even Lord Grey himself had described in the House of Peers as an unseemly excrescence? Was it fair, he would ask, to refer to a measure as final which had been so clogged in its progress? No, they could not consider such a measure a final measure. Indeed, the right hon. Member for Dungarvon had shown that it was not a final measure, for he had proved that, throughout the passing of the bill the ballot was contemplated as a possible contingency—that it was contemplated when the treating clause was passed, and he might have looked still further, and have said that it was contemplated as the only remedy whenever it was found that the aristocracy were trenching too closely upon the people's rights.'

Sir J Graham: I think it very desirable that there should be no misapprehension on one point; and I therefore deny that I am bound by any recommendation whatever of the ballot at any time. I have twice stated what I now repeat, that the whole of those measures which were enumerated in a report drawn up by four Members of Lord Grey's Cabinet were points to be submitted for the consideration of that Cabinet, upon the fullest and most distinct understanding that, as Members of the Cabinet, each individual was to have the utmost latitude of discussion in that Cabinet with respect to all the points therein contained.

Mr. O'Connell: And that was a recommendation of a system generating mean, paltry, dirty, and cowardly conduct. Why, no one could tolerate such a system for one moment. No man can be a party to such a recommendation. Does such a system require discussion or argument? Is not conviction immediate? And yet the right hon. Gentleman was conjointly one of the few who recommended it. Oh, but there was to be full discussion, there was to be deliberation, before the ballot was embodied in the scheme. [Mr. Sheil: "Adopted."] Was "adopted" the word—could it be possible? Yes, it was. The words were: "It is suggested that the vote by ballot be adopted." And this was his mean, dirty, paltry, cowardly system. Oh yes; it was easy to use these words; but he wanted to know this,—was it the poor wretch who was forced to give his vote *unwillingly*, was it the poor individual who

was forced to give his vote to support his family that was all this? It might be so; but who made him so? It might be so; but who continued him so? [Cheers.] Ay, he was proud of that ironical cheer. He knew they were not the people to stand between the trembling victim and he who would sacrifice him to his love of wealth. They were not the people to adopt the ballot—an honest system. ["Oh, oh."] Yes, he repeated it—an honest system. Ay, they thought no system honest unless in a commercial point of view, to give their money, and get the full value for it. And had they no compunction at the bribery which prevailed under the system? Had they no horror at the perjury which followed it? He had read to them the other night, when the Newcastle case was discussed, how a father took his son to the polling-booth, and saw him perjure himself, and when asked why he permitted it, replied "So many others were perjuring themselves also." That was their system. That was the system that did not engender aught mean, dirty, paltry, or cowardly. Was it in England that the hideous, horrible, and extensive bribery took place, which had been exposed before the Sudbury Election Committee. They talked of conscience, and refused justice to others who differed from them in faith; but fortunately they were all agreed as to morals; and yet there were those who would not consent to a measure which would take away from the wretch who was willing to be bribed that which gave value to the bribery. There was a plan for doing away with perjury by abolishing bribery, but the very remedy denoted a foregone conclusion, and showed how extensive was the perjury which was thus to be provided against; but still the corrupt voter would remain the same self-degraded wretch, and the same hateful miscreant as he was under the present system. The highest value, however, which he set upon the ballot was, that if the voter was not to be bribed, the question arose how was he to be influenced. He could then only be influenced by the public worth and services of the candidate, and the consequence would be, that in endeavouring to win the suffrage in his behalf, the candidate, instead of endeavouring to corrupt the public by bribing, would recommend himself by his virtues, and become noble, generous, and humane. The discussion taking the shape which it had done spoke

in favour of the original principles of the Reform Bill, as it showed that the majority in that House had the modesty, at least, to shun the test of the ballot-box, well knowing what would be the result. The degrading effect of the ballot, he meant of the present system, was well known, and, indeed, admitted by all, for none stood up to deny the extent of the bribery which had been alleged, and in the bill of the noble Lord, the Member for London, that bribery would be stamped in perpetual record.

*Lord J. Russell:* Having been so directly referred to by the right hon. Baronet, and hon. Gentlemen, could not allow himself to give a silent vote on this motion. With respect to the historical part of the question, the right hon. Gentleman had referred to what took place at the time of the Reform Bill; and he did not know, that the account which he had to give, materially differed from that which had been given by the right hon. Baronet. He would allude only to what were his own opinions and expectations on that occasion. The late Lord Durham, in 1833, in a speech at Gateshead, stated, that there was a committee consisting of four Members of Earl Grey's Government, who had been commissioned to draw up a plan of reform. That statement led to another, which, to the minds of all in any way conversant with the transactions of that period, bore the clear character of having proceeded from some Member of Earl Grey's Government. On this occasion, he thought it necessary to apply to his late Majesty, William 4th, for permission, to make his statement of what had happened as to the Reform Bill, as far as concerned his own character. He received that gracious permission, and some time after made that statement to which the right hon. Baronet had alluded. That statement, as the right hon. Baronet had mentioned, referred to the recommendation made by the committee in question. Now, with respect to these recommendations, they were undoubtedly recommendations, as to various heads of reform, a general outline, which was to be considered by the Cabinet before they were finally adopted. There were two points with respect to which the committee made recommendations which were not adopted by the Cabinet; these were, secret voting and the duration of Parliament. The votes which he gave previous

to that occasion were in conformity and consistency with the votes which he had given ever since,—namely, against the ballot. He entertained an opinion—not an opinion which he acquired after the discussions which had taken place on the question—but an opinion, partly gathered from his own reflections,—partly from the speech made on the subject by Mr. Brougham in the House of Commons, showing, as he thought, that secret voting could not be carried into effect; and there were various reasons, besides, in reference to what he considered likely to be the increase of bribery upon the adoption of the plan. It was considered, however, most desirable to make, if possible, the Reform Bill, when introduced, a final measure; and it seemed to him that, to have these questions of the ballot and the duration of Parliament, to be afterwards debated, would tend to disturb the settlement which was then likely to be made. This was the reason which operated in his mind—not any preference of secret over open voting—to concur in the opinion that the ballot should form part of the outline of the plan. However, the Cabinet, on mature consideration, rejected these two parts of the scheme, and he very willingly consented to propose the Reform Bill without those features. In making his statement, he made a declaration to this effect:—that in the bill there was no provision for the adoption of the ballot, or for shortening the duration of Parliament; that the Government did not consider these subjects were finally disposed of; but that, if hereafter it should be considered that changes in these respects might be usefully adopted, Government would consider themselves at liberty to recommend them. This was the substance of what he then said. It differed, as the right hon. Baronet had shown, from the statement afterwards made by Lord Althorp, who considered that at that moment the Reform Bill was a settlement of the whole question. Now, he did not see that it followed from that statement, either with reference to him, or with reference to any other Member of that Government, that he or they were not at liberty to take any objection to the ballot which they might deem to be a valid objection. He did not understand that any man who had thought it proper to give, not an enthusiastic vote in favour of the ballot, but an assent that the ballot should be taken into considera-



tion, as the suggested part of a great scheme of reform, should not be at liberty afterwards to take any objection to it which might occur to his mind, whether derived from the state of the country or from secret voting itself, or from the state of opinion, as to other measures of reform. Hon. Gentlemen on that side of the House seemed to suppose that there was some insuperable bar to his now raising an objection, but he did not himself perceive any sort of reason why he should not object, and why he should not vote according to that objection. The statements that had been made that night respecting the ballot, seemed to him to have this difficulty in them; no doubt the hon. Member who brought forward the proposal, and who had made a very able speech in support of it, considered the line he had taken the most advantageous; but it appeared to him a very great objection that the proposition did not contain the whole plan which those who were favourable to the ballot were disposed to support. This proposal as to the ballot had reference to the electoral body as now constituted. Now he should say, that if the ballot were adopted with the electoral body constituted as at present, the effect would be that in the smaller boroughs wholesale bribery would be committed, and in constituencies of 300 or 400, 250 would be secured by some attorney or agent, and there would be no means of detecting the bribery or tracing it home to the parties. There was another objection, that this plan, which was designed to place the representation on a better footing, would itself be pregnant with dissatisfaction. He could not imagine the country in general satisfied with the secret voting of those who now held the franchise. They had heard from the hon. Member for Montrose, that only one male out of seven had the right to vote for Members of Parliament. This point had been much urged in the House, and still more so amongst the people out of doors. There was a great body of men who called themselves Chartists who advocated what they called the People's Charter, and who, among other things, demanded universal suffrage. If the House were to enact a law, by which one man in seven only had the power of voting, and that power of voting were made secret and irresponsible, would that give satisfaction to the other six? Would it not, on the contrary, be increasing the discontent

which now prevailed? That had been the language of the persons referred to at public meetings, in reference to the ballot. Did it exhibit an inclination to accept the ballot? Far from it; the Chartists declined the ballot, if not accompanied by the other measures which they required. He would ask, then, the hon. Gentleman who proposed the ballot, did he think that the adoption of the ballot alone would be sufficient—that the corruption and intimidation, that the various evils which unhappily now prevailed, would be remedied by his proposal? and that, having given the ballot, the House might sit down and rest satisfied that it had accomplished the great and noble scheme of the full, fair, and free representation of the people? The hon. Gentleman could hardly think this. The hon. Gentleman himself was an advocate for an extended suffrage; he did not know to what extent, whether household suffrage, or further; but this, at any rate, was quite perceptible, that the ballot was not an ultimate plan, but an introduction or preface to something further. He was, then, obliged to say, that if such were the case, he would neither discuss the plan as now before the House, nor could he, of course, discuss the rest of the plan which was kept from the House. What he would say was this: let the House have before it the whole plan, so that they might judge whether it were on the whole, a better plan than the existing representation; let the ballot be part of the plan to be thus proposed, but let it be submitted as part and parcel of the whole scheme, and not a part by itself. Let not the House be seduced into a vote upon the ballot, thinking that therein they were introducing a sound and pure system, and then be told, after they had given the ballot—"You have now only increased the discontent; you have now only given fresh grounds to the great body who are excluded from the representation, to complain of the secret, clandestine, and irresponsible manner in which the franchise is exercised. The extension of the franchise must now follow as a logical, certain, and inevitable result, and you must, therefore, give it." He would be ready to discuss the complete plan when it came before the House; but, in the mean time, he might fairly ask those hon. Gentlemen, who on former occasions had voted for the ballot, as if the ballot were alone sufficient in the present

state of the franchise, to pause and inquire, as he did, what were the remaining measures which were to give satisfaction to the people, as to the representation. For these reasons, he very much differed from the hon. Member for Poole, who had spoken that evening, and who had expressed himself with great ability and clearness. The hon. Gentleman said, he was opposed to further changes in the representation, and that he should vote for the ballot, as for a barrier against greater changes. In this view, he could not concur with the hon. Gentleman, and he wished that the hon. Gentleman would a little reflect upon the opinions of those who were advocates for the ballot in that House, in connection with those who advocated the extension of the suffrage, and the extreme doctrines of the Chartists, before he made up his mind, that by voting for the ballot alone he should be able to impose the barrier which he contemplated, or give the institutions of the country that stability which all had at heart. The right hon. and learned Gentleman who spoke last gave the ballot a very high character, stating that it would produce a superiority of the moral condition, and make men generous, humane, kindly, and noble-minded. These were great recommendations, but he must own he very much doubted the efficacy of the plan; and he was surprised that when the question was brought forward in the House so few of its advocates referred to those countries in which the ballot had been adopted. With respect to ancient history, the right hon. Baronet opposite, on a former occasion, had produced some passages most applicable to this question, showing clearly what was the effect, during the Roman history, of secret voting. They all knew that in the later period of Rome, secret voting was introduced, and they knew that it was introduced in the most corrupt times of Rome; they knew, too, that it could not avert that corruption, that it did not make the people noble-minded, generous, and humane; but that, on the contrary, the most base, the most cruel, the most bloody period that ever occurred in the history of the civilized world, was contemporaneous with the ballot in Rome. The ballot was in existence in our own times in two great countries, in France and in America; now, he had watched several elections in France, and he had always found it stated, as a

matter of certainty, that the government knew what all the people who held appointments, did at these elections, and which way they voted; and he found complaints made in the chambers that men had been turned out for voting against government; he found government defending itself against these charges; he found various allegations, one way or the other, but he never found any allegations such as he should naturally have expected, to this effect:—"We have in this country secret voting; the ballot is established, and it can never be known which way a man votes; a man cannot be turned out of office for voting this way or that, for we have that machinery and contrivance which makes it impossible to find out how a man has voted." No such allegations as these were to be found in the French press or the French chambers. In the United States of America, too, they had the ballot; and what said Mr. Tickner, the American gentleman who gave his evidence before the intimidation committee? He said that no man's vote was secret in the United States. The adult males were there the sovereign power, and there was no influence of property or institutions to prevent that sovereign power carrying into effect its will, its absolute will. He was not called upon to make any observations as to the superiority of the one form of Government or the other—the republican or the monarchical. But there was one example of the ballot, going with that which agreed with the ballot, which was consistent with it, namely, the universal suffrage of the whole people. He would ask if the ballot had never been found to produce wholesome and salutary effects in other countries, was it likely to produce them in this country? He said with his hon. Friend the Member for Middlesex, that he could imagine nothing more contrary to the English character than secret voting. He could well imagine that there were, as he was told there were, ingenious persons who had carried to perfection the machinery of the ballot-box—that they could place the voter in a room with a certain contrivance, by which, without the possibility of anybody watching him, or seeing what he did, his vote might be secretly taken. He could conceive that the ingenuity of the promoters of the ballot in mechanism might be so far successful. But tell him where was the mechanism that would make Englishmen, English far-

mers, and English tradesmen, reserved, cunning, and secret in all their transactions? Let the advocates of the ballot show him, if they could, that contrivance by which the character of Englishmen could be so changed, that landlords would be unable to tell a year before what was likely to be the opinion of his tenant—or how he would throw his vote into the ballot-box. Show him the contrivance which would be such, that in no club,—at no dinner,—in no privacy of domestic life,—and upon no occasion of public excitement,—would the elector betray his sentiments, but that on the day of voting, and on the day of voting alone, he would evince his opinions, and from that time forth, as on every day before, that he should keep them perfectly secret and concealed. This was a thing contrived in a great degree by the Senate of Venice. The Senate of Venice had an ingenious contrivance by which the election of the Doge was effected after eight or ten different votings. Seven electing forty-nine—forty-nine electing five—five electing thirty-six, and so on, in a way which was taken to insure secret voting, and to give as the ultimate result an election without bribery, intimidation, or undue influence of any sort. That might suit the close and reserved character of Venetian senators, but did not suit the character of Englishmen. For his part, he must confess he rejoiced that it did not. If they introduced the ballot-box, and could bring the character of the English people into perfect harmony with the practice of secret voting they might get rid of many evils. They might prevent much intimidation—they might give some check to bribery. But they would introduce a monstrous and gigantic evil, which would far overpower all those good effects—in the loss of that honest, brave, frank English character, which nothing afterwards could ever repair. He had now stated the reasons on which he had acted on former occasions with regard to the ballot. He had stated, with respect to the change now proposed, that he could not imagine it to be the only one which its advocates considered necessary. He had, therefore, asked to have the whole of the plan introduced before voting for any change of this kind. Taking the Ballot also, he said that he doubted its efficacy. He knew no country in which it had produced those excellent and benefi-

cial effects which it was said it would produce in this country. In itself it was calculated to produce, if successful, fraud and concealment, most injurious to the character of the people, and he must, therefore, now, as on former occasions, record his decided vote against the motion of his hon. Friend.

Mr. *Wakley* was not surprised at the cheers—ironical he presumed—which had been so plentifully bestowed on the noble Lord from the other side, just as the right hon. Baronet (Sir J. Graham) had been so loudly cheered from the Opposition side. The noble Lord and right hon. Baronet had taken precisely the same course on this occasion as they had done in 1831, when, as members of the committee to whom the Cabinet intrusted the preparation of a plan of reform, they agreed in recommending to Lord Grey's Government, that the ballot should be one of the provisions of the measure. He could not consider, under these circumstances, that the ballot was fairly treated. Such conduct was calculated to exemplify the character of our public men, and show to the people of this country how recklessly, how thoughtlessly, and how dishonestly public men could make a recommendation at one time, which they could as recklessly abandon at another. This was not a fortunate or commendable example. He regretted it for the character of that House, he regretted it for the character of the country. It must be supposed, that the recommendation was either heartlessly or dishonestly meant. He did not believe it was dishonestly meant, and therefore he would maintain, that the greatest and most important measures affecting the rights and character of the people, were often brought forward by public men holding responsible offices, without due examination and reflection. That inference was perfectly just, after the confessions of the noble Lord and the right hon. Baronet. He was placed in rather a disagreeable position with reference to the ballot. The only argument against the ballot which the noble Lord had brought, was, that it would inevitably lead to other changes, the most important of which would be the extension of the suffrages. His conviction was directly the reverse. He sincerely believed, after the most mature examination of this question in all its bearings, that if the ballot were granted to the present constituencies, there would

be no extension of the suffrage. The effect of that measure would be to give to those constituencies a monopoly of the privilege of voting in secret. At present, public opinion had its influence over the voter, whose conduct was watched by the non-electors. Give the Ballot, and that influence would be removed. If, then, you proposed any extension of the suffrage, to whom would it be given? To persons beneath the electors in wealth, and whose numbers would completely swamp their influence. The hon. Member for Montrose had stated the proportion of electors to the unrepresented to be as one to seven. Did the House believe, then, if they gave to the present electors the privilege of voting in secret, free from any control, that they would consent to swamp their own votes, and make their privilege valueless, by letting in the multitude of the disfranchised? Look at the case of France, in which the Chamber of Deputies represented the electoral body, but not the people. It would be so in England with the Ballot and limited suffrage. There never had been such gross and unblushing corruption in this country as at the last general election—there had been equal dishonesty on both sides—there had been no difference in the conduct of the two parties. He asked the House, then, would they give to dealers in corruption the privilege of voting away their country for money? He (Mr. Wakley) was of opinion that any constituency which had shown the slightest symptoms of dishonesty ought not to have the ballot. It ought to be a shield of protection only to the honest and conscientious voter. He thought the motion had never on any occasion been brought forward under more unfavourable circumstances. Millions of the people would say, if you are disposed to give us the ballot, first give us the suffrage. That was the opinion he had always entertained, and consequently, although he should vote for the motion, if the ballot were carried, and if he could not succeed in connecting with it an extension of the suffrage, he begged leave to assure the House that no person would give it a more hearty, consistent, or determined opposition than he should.

Lord Worsley (amidst much noise) was understood to say that intimidation and corruption were practised by both sides; that a system of secret voting would place the real power of voting in the proper hands, instead of giving it to the landlords;

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and that having well considered the subject, he should give his support to the motion.

Mr. Ward, in reply, contended that all the statements and arguments he had urged in support of his motion remained unanswered. The noble Lord the Member for London seemed to consider ballot as but one step, and that it was mainly advocated as a measure likely to lead to something ulterior. He admitted that one-half of those who would vote for his proposition would not consider the ballot as final; but all he would say was, that this was the most beneficial proposal of a change which the present circumstances of the country would admit, and if it did not prove a complete cure for bribery and intimidation, it would at least go a great way in preventing it.

The House divided:—Ayes 157; Noes 290;—Majority 133.

#### List of the AYES.

Aglionby, H. A.	Dundas, Adm.
Aldam, W.	Dundas, hon. J. C.
Anson, hon. Col.	Easthope, Sir J.
Bannerman, A.	Ellice, E.
Barnard, E. G.	Ellis, W.
Bellew, R. M.	Elphinstone, H.
Berkeley, hon. C.	Esmonde, Sir T.
Berkeley, hon. Capt.	Evans, W.
Bernal, Capt.	Ewart, W.
Bernal R.	Farrell, D. H.
Blake, M.	Ferguson, Col.
Blake, M. J.	Fielden, J.
Blake, Sir V.	Fitzroy, Lord C.
Bowring, Dr.	Gibson, T. M.
Brocklehurst, J.	Gordon, Lord F.
Brodie, W. B.	Gore, hon. R.
Brotherton, J.	Granger, T. C.
Browne, R. D.	Grey, rt. hn. Sir G.
Bryan, G.	Guest, Sir J.
Buller, C.	Hall, Sir B.
Busfield, W.	Harris, J. Q.
Byng, rt. hon. G. S.	Hastie, A.
Callaghan, D.	Hawes, B.
Chapman, B.	Hill, Lord M.
Christie, W. D.	Hindley, C.
Clay, Sir W.	Hollond, R.
Clive, E. B.	Horsman, E.
Cobden, R.	Howard, hon. J. K.
Collins, W.	Howard, hon. H.
Craig, W. G.	Hume, J.
Crawford, W. S.	Humphery, Ald.
Currie, R.	Hutt, W.
Dalrymple, Capt.	James, W.
Dennistoun, J.	Johnson, Gen.
D'Eyncourt, rt. hn. C. T.	Langston, J. H.
Drax, J. S. W. S. E.	Langton, W. G.
Duke, Sir J.	Layard, Capt.
Duncan, Visct.	Leader, J. T.
Duncan, G.	Listowel, Earl of
Duncombe, T.	Macaulay, rt. hn. T. B.

M'Taggart, Sir J.  
 Mangles, R. D.  
 Marjoribanks, S.  
 Marshall, W.  
 Marsland, H.  
 Martin, J.  
 Maule, rt. hon. F.  
 Mitcalfe, H.  
 Mitchell, T. A.  
 Morris, D.  
 Murphy, F. S.  
 Murray, A.  
 Napier, Sir C.  
 Norreys, Sir D. J.  
 O'Brien, C.  
 O'Brien, J.  
 O'Connell, D.  
 O'Connell, M. J.  
 O'Connell, J.  
 O'Connor, Don  
 Ogle, S. C. H.  
 Ord, W.  
 Oswald, J.  
 Paget, Col.  
 Paget, Lord A.  
 Parker, J.  
 Pechell, Capt.  
 Pendarves, E. W. W.  
 Philips, M.  
 Plumridge, Capt.  
 Ponsonby, hn. C. F. A. C.  
 Ponsonby, hon. J. G.  
 Protheroe, E.  
 Pryse, P.  
 Pulsford, R.  
 Ramsbottom, J.  
 Redington, T. N.  
 Rice, E. R.  
 Ricardo, J. L.  
 Roche, E. B.  
 Roebuck, J. A.

Rundle, J.  
 Russell, Lord E.  
 Scholefield, J.  
 Scrope, G. P.  
 Seale, Sir J. H.  
 Sheil, rt. hn. R. L.  
 Smith, J. A.  
 Somers, J. P.  
 Somerville, Sir W. M.  
 Standish, C.  
 Stewart, P. M.  
 Stuart, Lord J.  
 Stuart, W. V.  
 Strickland, Sir G.  
 Strutt, E.  
 Tancred, H. W.  
 Thornely, T.  
 Towneley, J.  
 Troubridge, Sir E. T.  
 Tufnell, H.  
 Tufts, H. M.  
 Villiers, hon. C.  
 Vivian, J. H.  
 Vivian, hon. Capt.  
 Wakley, T.  
 Walker, R.  
 Wall, C. B.  
 Wallace, R.  
 Watson, W. H.  
 Wawn, J. T.  
 Westenra, Hon. J.  
 Wilde, Sir T.  
 Williams, W.  
 Wood, B.  
 Wood, Sir M.  
 Worsley, Lord  
 Yorke, H. R.

## TELLERS.

Berkeley, H. F.  
 Ward, H. G.

*List of the NOES.*

Acland, Sir T. D.  
 Acland, T. D.  
 A'Court, Capt.  
 Adderley, C. B.  
 Alford, Visct.  
 Allix, J. P.  
 Antrobus, E.  
 Arbuthnott, hn. H.  
 Archdall, Capt.  
 Arkwright, G.  
 Ashley, Lord  
 Astell, W.  
 Bagge, W.  
 Bagot, hon. W.  
 Bailey, J.  
 Bailey, J. jun.  
 Baillie, Col.  
 Baillie, H. J.  
 Baird, W.  
 Bankes, G.  
 Baring, hon. W. B.  
 Barneby, J.  
 Barrington, Visct.  
 Baskerville, T. B. M.

Bateson, R.  
 Beckett, W.  
 Bell, M.  
 Benett, J.  
 Bentinck, Lord G.  
 Beresford, Maj.  
 Blackburne, J. I.  
 Blakemore, R.  
 Bodkin, W. H.  
 Boldero, H. G.  
 Botfield, B.  
 Bradshaw, J.  
 Bramston, T. W.  
 Broadley, H.  
 Broadwood, H.  
 Brooke, Sir A. B.  
 Browne, hon. W.  
 Browning, J. S.  
 Bruce, Lord E.  
 Buck, L. W.  
 Buller, E.  
 Buller, Sir J. Y.  
 Bunbury, T.  
 Burrell, Sir C. M.

Byng, G.  
 Campbell, Sir H.  
 Campbell, A.  
 Cardwell, E.  
 Cartwright, W. R.  
 Cavendish, hon. C. C.  
 Cavendish, hon. G. H.  
 Chapman, A.  
 Charteris, hon. F.  
 Chelsea, Visct.  
 Chetwode, Sir J.  
 Cholmondeley, hn. H.  
 Christopher, R. A.  
 Chute, W. L. W.  
 Clerk, Sir G.  
 Clive, hon. R. H.  
 Cochrane, A.  
 Cockburn, rt. hn. Sir G.  
 Codrington, C. W.  
 Colborne, hn. W. N. R.  
 Collett, W. R.  
 Colville, C. R.  
 Conolly, Col.  
 Corry, right hon. H.  
 Courtenay, Lord  
 Cowper, hon. W. F.  
 Cresswell, B.  
 Cripps, W.  
 Damer, hon. Col.  
 Darby, G.  
 Dawnay, hon. W. H.  
 Denison, J. E.  
 Denison, E. B.  
 Desart, Earl of  
 Dick, Q.  
 Dickinson, F. H.  
 Dodd, G.  
 Douglas, Sir H.  
 Douglas, Sir C. E.  
 Douglas, J. D. S.  
 Dugdale, W. S.  
 Duncombe, hon. A.  
 Duncombe, hon. O.  
 East, J. B.  
 Eastnor, Visct.  
 Eaton, R. J.  
 Egerton, W. T.  
 Egerton, Sir P.  
 Eliot, Lord  
 Escott, B.  
 Estcourt, T. G. B.  
 Farnham, E. B.  
 Fellowes, E.  
 Ferguson, Sir R. A.  
 Feilden, W.  
 Ferrand, W. B.  
 Filmer, Sir E.  
 Fitzroy, hon. H.  
 Fitzwilliam, hn. G. W.  
 Flower, Sir J.  
 Follett, Sir W. W.  
 Ffolliott, J.  
 Forbes, W.  
 Fuller, A. E.  
 Gaskell, J. Milnes  
 Gladstone, rt. hn. W. E.  
 Gladstone, T.

Glynne, Sir S. R.  
 Gordon, hon. Capt.  
 Gore, M.  
 Gore, W. O.  
 Goring, C.  
 Goulburn, rt. hn. H.  
 Graham, rt. hn. Sir J.  
 Granby, Marquis of  
 Grant, Sir A. C.  
 Greenall, P.  
 Greene, T.  
 Gregory, W. H.  
 Grimditch, T.  
 Grimston, Visct.  
 Grogan, E.  
 Halford, H.  
 Hamilton, W. J.  
 Hampden, R.  
 Hanmer, Sir J.  
 Harcourt, G. G.  
 Hardinge, rt. hn. Sir H.  
 Hardy, J.  
 Hawkes, T.  
 Hayes, Sir E.  
 Heathcote, G. J.  
 Heneage, G. H. W.  
 Heneage, E.  
 Henley, J. W.  
 Hepburn, Sir T. B.  
 Herbert, hon. S.  
 Hervey, Lord A.  
 Hillsborough, Earl of  
 Hodgson, F.  
 Hodgson, R.  
 Hogg, J. W.  
 Houldsworth, T.  
 Holmes, hn. W. A'Cl.  
 Hope, hon. C.  
 Howard, hon. C. W. G.  
 Howard, Lord  
 Howard, hon. E. G. G.  
 Howard, P. H.  
 Howick, Visct.  
 Hughes, W. B.  
 Hussey, T.  
 Ingestre, Visct.  
 James, Sir W. C.  
 Jermyn, Earl  
 Jocelyn, Visct.  
 Johnstone, Sir J.  
 Johnstone, H.  
 Julliffe, Sir W. G. H.  
 Jones, Capt.  
 Kemble, H.  
 Knatchbull, rt. hn. Sir E.  
 Knight, H. G.  
 Knight, F. W.  
 Knightley, Sir C.  
 Labouchere, rt. hn. H.  
 Lascelles, hon. W. S.  
 Law, hon. C. B.  
 Lawson, A.  
 Lefroy, A.  
 Legh, G. C.  
 Leicester, Earl of  
 Lemon, Sir C.  
 Lennox, Lord A.

Liddell, hon. H. T.  
 Lincoln, Earl of  
 Lindsay, H. H.  
 Lockhart, W.  
 Lowther, J. H.  
 Lowther, hon. Col.  
 Lyall, G.  
 Lygon, hon. Gen.  
 Mackenzie, T.  
 Mackenzie, W. F.  
 Maclean, D.  
 McGeachy, F. A.  
 Mahon, Visct.  
 Mainwaring, T.  
 Manners, Lord C. S.  
 Manners, Lord J.  
 March, Earl of  
 Marsham, Visct.  
 Martin, C. W.  
 Martin, T. B.  
 Marton, O.  
 Mesterman, J.  
 Meynell, Capt.  
 Miles, P. W. S.  
 Miles, W.  
 Milnes, R. M.  
 Mundy, E. M.  
 Murray, C. R. S.  
 Neeld, J.  
 Neeld, J.  
 Neville, R.  
 Nicholl, rt. hon. J.  
 Norreys, Lord  
 Northland, Visct.  
 O'Brien, A. S.  
 Omsulton, Lord  
 Packe, C. W.  
 Pakington, J. S.  
 Palmer, R.  
 Palmerston, Visct.  
 Patten, J. W.  
 Peel, rt. hon. Sir R.  
 Peel, J.  
 Pemberton, T.  
 Pigot, Sir R.  
 Plumpton, J. P.  
 Polhill, F.  
 Praed, W. T.  
 Pringle, A.  
 Pusey, P.  
 Rashleigh, W.  
 Reid, Sir J. B.  
 Repton, G. W. J.  
 Richards, R.  
 Rose, rt. hon. Sir G.  
 Ross, hon. Capt.

Rushbrooke, Col.  
 Russell, Lord J.  
 Russell, C.  
 Ryder, hon. G. D.  
 Sanderson, R.  
 Sandon, Visct.  
 Scarlett, hon. R. C.  
 Seymour, Lord  
 Seymour, Sir H. B.  
 Shaw, rt. hon. F.  
 Shirley, E. J.  
 Sibthorp, Col.  
 Smith, A.  
 Smith, rt. hon. R. V.  
 Smyth, Sir H.  
 Smythe, hon. G.  
 Sotheron, T. H. S.  
 Stanley, Lord  
 Staunton, Sir G. T.  
 Stewart, J.  
 Stuart, H.  
 Sturt, H. C.  
 Sutton, hon. H. M.  
 Talbot, C. R. M.  
 Taylor, T. F.  
 Thesiger, F.  
 Thornhill, G.  
 Tomline, G.  
 Trench, Sir F. W.  
 Trollope, Sir J.  
 Trotter, J.  
 Turner, E.  
 Turnor, C.  
 Vane, Lord H.  
 Vere, Sir C. B.  
 Verner, Col.  
 Vernon, G. H.  
 Vesey, hon. T.  
 Vivian, J. E.  
 Waddington, H.  
 Walsh, Sir J. B.  
 Welby, G. E.  
 Whitmore, T. C.  
 Wilbraham, hn. R. B.  
 Williams, T. P.  
 Wilshere, W.  
 Wood, C.  
 Wood, Col. T.  
 Wortley, hon. J. S.  
 Wrightson, W. B.  
 Yorke, hon. E. T.  
 Young, J.

TELLERS.  
 Baring, H.  
 Fremantle, Sir T.

House adjourned.

## HOUSE OF LORDS,

Wednesday, June 22, 1842.

MINUTES.] *BILLS.* Public.—*1<sup>st</sup>* Assessed Taxes Compo-

sition.  
*Received the Royal Assent.*—Property Tax; Australia and New Zealand.

*Private.*—*1<sup>st</sup>* London and Greenwich Railway (No. 3).  
*2<sup>nd</sup>* and passed:—Carlisle Roads; Viscount Fitzwilliam's

(or Herbert's) Estate; Duke of Cleveland's Estate; Burntisland and Granton Pier.

*Received the Royal Assent.*—Metropolitan Patent Wood Paving Company (No. 2); Ferrybridge and Boroughbridge Road; Charterhouse Hospital Estate; Britwell Inclosure; Kilmington Inclosure.

Adjourned.

## HOUSE OF COMMONS,

Wednesday, June 22, 1842.

MINUTES.] *BILLS.* Public.—*1<sup>st</sup>* Charitable Pawn Offices (Ireland).

*Committed.*—Drainage (Ireland).

*Reported.*—Designs Copyright; Rivers (Ireland); Dean Forest Ecclesiastical Districts.

*Private.*—*1<sup>st</sup>* Vere's Divorce; Coward's Divorce; Pater-son's Estate; Davidson's Estate.

*2<sup>nd</sup>* Brewood School Estate; Manner's Estate.

*Reported.*—Reading Cemetery; Bathurst Estate.

*3<sup>rd</sup>* and passed:—Leicester Small Debts.

PETITIONS PRESENTED. By Mr. S. Crawford, Mr. Hume, Mr. Ferrand, Mr. Thorneley, Mr. M. Phillips, Mr. Protheroe, Mr. Stuart Wortley, and Mr. Brotherton, from Haigh Moor Colliery, Farnley Tys, Flockton, Wakefield, Andrew Hill Colliery, Bradford, Briggs, Morton, Thurstonland, and several other places, against the Mines and Collieries Bill.—From Coat Bridge, and Barnsley (three petitions), in favour of the Mines and Collieries Bill.—From Limerick, for a fair and equal Taxation of all parts of the Borough according to the Valuation of the Poor Relief (Ireland) Act.—From Basford Union, for Alteration of the Poor-law Amendment Bill; and from Bristol, against the Poor-law Amendment Bill.—By Mr. Hume, from Paley, for Inquiry into Distress.—By Mr. Hume, from the House of Assembly of Prince Edward's Island, for measures settling the Rights of Land in that Island.—From Framlingham, for Rating Owners of Small Tenements in lieu of the Occupiers.—From the Hundreds of Tunstead, Walsham, West Flegg, Clavering, South Eppingham, Blodfield, and Happing, for Inquiry into the System of Education pursued at Maynooth College.—From New Buckenham, against any further Grant to Maynooth College.—From the Attornies in the County of Oxford, for the Repeal of the Duty on their Certificates.—From William Roberts, for Inquiry into the Working of the Anatomy Act.—From Michael Drury, to Address her Majesty to Dismiss Lord Lyndhurst from the office of Lord Chancellor.—From Miners of Coat Bridge, to Alter the Mode of Weighing their Work.—From the Corporation of Limerick, to render valid the Election of the Mayor under the Municipal Corporations Act.—By Mr. Redington, from Proprietors of Land on the Lake and River Corrib, against the Rivers (Ireland) Bill.

SILVER COINAGE.] Mr. Hume begged to put a question to the right hon. Gentleman opposite respecting the currency. It appeared that there was so great a deficiency of silver in circulation as to produce extreme inconvenience to those who had workmen to pay. He could mention one instance in which a person having workmen to pay sent to the Bank of England for a quantity of silver, which they refused. Unless the Government took means before Saturday next to meet the evil, the greatest possible inconvenience and distress would be the result. He wished to know whether the Government would take any measures to have that want immediately supplied?

The *Chancellor of the Exchequer* said, that representations had been made to him not quite three weeks ago by those most competent to judge,—namely, bankers and the Bank of England, that so excessive was the amount of silver in circulation, that they wished the Government would take some of it back. It was this representation which had led the Government to think that there was no deficiency in the supply of silver. He had been informed, however, that day, that there was a deficiency of silver, and he would therefore adopt every means in his power to procure at the earliest moment an adequate supply. He might also state, that an ample supply of gold coin was ready to replace that which would be taken out of circulation, and which might to some extent supersede the necessity of increasing very materially the silver coinage.

MINES AND COLLIERIES.] Lord *Ashley* having presented a petition in favour of the Mines and Collieries Bill, said, he had a very interesting document which he would, with permission of the House, read. It was an address of thanks to the House for their prompt and humane interference for the relief of the oppressed children and females employed in mines, from the wives and daughters of the colliers of Barnsley and the neighbourhood. The petition proceeded entirely from a spontaneous impulse, and had been got up by no agency. He had been consulted relative to it, and had said, "Let it be entirely your own production." Not one of the petitioners, he regretted to say, could write, and the address was numerously signed with crosses.

The *Speaker* said, it could not be received.

Lord *Ashley* then said he had another address, the substance of which, if it could not be received, he hoped he might at least be permitted to state. It was signed on behalf of 500 miners, hardly any of whom could write. It was "The Address of the Colliers of Barnsley and the neighbourhood, adopted at a meeting held on the 18th inst., to the House of Commons." [The noble Lord read it. The noble Lord also read the substance of another address from the hand-loom weavers of Dodsworth.] He moved that the *Speaker* do leave the Chair for the purpose of going into committee on the *bill*.

Mr. *R. Scott* complained of the statements of Dr. Mitchell, in the report of the committee of inquiry on mines, relative to the treatment of pauper children in the unions of Walsall, Wolverhampton, Dudley, and Stourbridge, who were said to be draughted out as apprentices into the collieries and subjected to all manner of ill-treatment. So far from this statement being true, it was the fact that during the years 1840, 1841, and 1842, as appeared from a return made by the clerk of the Walsall Union, there had been apprenticed from that union only one boy of the age of nine, another of the age of eleven, and a third of the age of fifteen and in all these cases the apprentices were bound to relatives of their own. With respect to that union, therefore, the charge made was clearly unfounded. In the Stourbridge Union, since its formation in 1837, only ten boys had been apprenticed to colliers; of these, only one of the age of nine years, five of ten, and the others of twelve, fourteen, fifteen, and sixteen years of age. Three of them were apprenticed with the consent of their fathers, and three more by consent of their widowed mothers. In the populous Union of West Bromwich in the years 1840, 1841, and 1842, only four boys have been so put out apprentice, no one of whom was under the age of ten years. With respect to the bill introduced by the noble Lord the Member for Dorsetshire, he felt no hostility to its object, but if it passed into a law in its present shape it would have a most injurious effect on the whole mining district of South Staffordshire. He did not believe it would improve the moral or physical condition of the workmen. Throughout that district, he could inform the House, mining was generally looked upon as a healthy, cheerful, and pleasant occupation. The "jolly collier" was a proverbial expression all over the county. It was generally considered a remarkably pleasant and cheerful employment. It was observed that, when any accident happened to a collier, or he was attacked by any disease, he was cured in an incredibly short time. Their general health was much better than that of the rest of the labouring population. Every one must perfectly coincide in that part of the noble Lord's measure which prohibited the employment of females. He would suggest, however, that the bill was one of too much importance to be hurried through with so much rapidity,

and that it should be postponed till another Session, to allow time for an inquiry to be made into the evidence on which it was founded, and enable parties to see how it might affect their interests. He was convinced that course would be far better ultimately for the objects of the noble Lord. It was easy to pick out instances of oppression in every walk of employment, but he would ask, if they deprived numbers of the working classes of the means of earning their daily sustenance,—for one cause of children being set to work was the poverty of their parents, as stated by Dr. Mitchell,—if they reduced them to misery, how was it possible that their moral training and education, and their improvement in morals and religion, could be properly attended to? He would ask the noble Lord, whether children were not more likely to become good citizens by being brought up to industrious habits, than if they were allowed to wander about in idleness? It was generally supposed that no apprenticeship was necessary, and that nothing was to be taught or learned by mining; but the truth was that the art was one of great difficulty as well as of great importance. It was most important that boys should go into the mines at an early age, and if they did not they would never be able to work with skill or efficiency. He would suggest that the noble Lord should go on with that part of the bill which related to the employment of females immediately, as it was a matter which required an immediate remedy, and that he should postpone the other clauses of the measure, relating to engineers, apprentices, and others, to a future Session. The masters of the mining districts of Yorkshire had had only two or three days to consider the provisions of the bill, and perhaps the noble Lord would not object to allow ten days or a fortnight for that purpose. He did not differ from the principle of the bill generally, and admitted that the noble Lord was entitled to thanks for having introduced the measure.

Mr. Ward must contradict the statement of the hon. Member, who had just spoken as to the masters not having had time to consider the bill. In that part of the West Riding with which he was connected they had fully considered its provisions, and agreed with them. They were grateful to the noble Lord for having introduced the bill, and hoped that it would be speedily passed into law with a

few modifications in the details. He did not see why they could not go into committee now as well as a few days hence. He would add, that in the part of the West Riding to which he had referred, most of the provisions of the bill had been long in practical operation.

Mr. Lambton hoped the noble Lord would not consent to any delay. There had been plenty of time to consider the subject. A deputation from the northern mining district had had interviews with the noble Lord and the Secretary for the Home Department since the introduction of the bill, and he did not see why other districts might not have taken the same step if they chose.

House in committee.

On clause 2,

Lord Ashley stated, that he had had an interview with a deputation from the mining districts, and had come to an agreement with them respecting the age at which boys should be permitted to work. He proposed that none should be admitted for the future under the age of ten, and that up to the age of thirteen they should work only three days in the week, every alternate day, and for not more than twelve hours a day. He would propose to allow boys at present working, who had reached the age of nine, to continue. He trusted, that the time thus granted in boyhood would be devoted to the purpose of moral and religious improvement. He gratefully acknowledged the kindness and courtesy which had marked the demeanour of those who formed the deputation, and though he still retained the opinion, that thirteen would be the proper limit under which no boy should be employed, he cheerfully admitted, that these differences of opinion arose from the best motives, and he was thoroughly assured that they did not look to their own interests, but to the interests of those placed under their care. It was with great satisfaction, that he now proposed a clause to the effect he had stated, in substitution of that which now stood in the bill.

Mr. Ainsworth said, that they could not carry into effect any plan, such as the noble Lord proposed, without obtaining relays of boys. In the mines of which he had some knowledge the boys worked only nine hours a day for five days a week; therefore, the difference between that practice and the plan of the noble Lord was not very material. It was said,



that the children must be educated, but who was to pay for their education? The wages of the miners had been reduced to the lowest possible point; they were to be still further reduced by the limitations placed upon the working hours of children, and from what funds, then, were to be derived the means of educating those children?

Mr. Walker observed, that in Lancashire the children worked only eight hours a day, and he thought that better than the twelve hour system of the noble Lord, for this reason, that it left time enough each day for the business of education, without interfering with the regular operations of the mine.

Mr. Brotherton said, that the children must remain as long in the mines as the adults; upon that ground he was favourable to the plan of the noble Lord. It appeared to him, that no general rule could be adopted so convenient for all parties and so just towards the children as that proposed by the noble Lord. Suitable rest for the children and fair opportunities of education could not be obtained without the indulgence of the alternate days.

Mr. V. Smith considered the regulation of appointing alternate days of rest and of labour a very great improvement, and a very requisite provision.

Lord Ashley said, that in introducing such a bill as that before the committee, he could not make exceptions in favour of each particular locality, or leave the children to the discretion of either their parents or masters. There could be no security unless the children were to be left one whole day at a time above ground—the days of rest alternating with those of labour. If they were to be allowed to remain in the mines for three days at a time, there was no saying what amount of labour might be imposed upon them. After the best consideration which he could give to what had been said on both sides, he must say, that he thought he ought to abide by the clause then in the hands of the chairman.

Mr. Vivian observed, that in the mines with which he was connected no females were employed; there were Sunday-schools for the children; and, speaking generally, they were taken good care of.

Viscount Palmerston was favourable to the plan of the noble Lord. If there had been any doubt on the subject, he thought

that that doubt must at once have been removed by the remarks of the hon. Member for Salford. In his opinion there could be no useful education given to the children of miners on any of those days upon which they were engaged in the mines—the smallest quantity of the labour in which they were occupied would be incompatible with education; for these reasons he should support the clause.

Clause, as amended, agreed to.

On clause 3, which provides that “persons are not to be apprenticed to work in mines or collieries,” being proposed,

Mr. Villiers wished to know why apprentices were not to be permitted to work in the usual way, as heretofore? The effect would be to cause much misery and destitution.

Lord Ashley was understood to say, that the apprentices would be permitted to work as free labourers.

Mr. Scott read a letter from some proprietors of mines, in which they urged that the effect of not allowing apprentices to work in mines would be that the mining interest would be ruined in a very short time. It was quite necessary that lads should be instructed in working the mines, in order to make them skilful labourers.

Mr. Villiers inquired whether boys were to be taught the business or not? or did the noble Lord assume that there was no business to learn?

Mr. Bell observed, that there were no apprentices either in Durham or Northumberland.

Lord Ashley said, the abuses of the present system were so enormous that the clause was absolutely necessary.

Clause agreed to.

Remaining clauses agreed to.

House resumed.

SUDBURY DISFRANCHISEMENT.] On the question, that the report of the Sudbury Disfranchisement Bill be brought up,

Mr. Blackstone said, that in a measure of this description, inflicting pains and penalties, the House ought to proceed with great caution. He would ask the House to re-commit the bill, in order to give the borough an opportunity to appear by counsel at the Bar of the House. He grounded his motion upon the justice of the case. It was a bill of pains and penalties, and everything should be done according to law. The notice to the late returning officer was clearly irregular; he

would therefore move that the bill should be re-committed.

Mr. *Redington* was placed in a very awkward situation. The bill passed through committee in a very full House, at a time when the Leaders and Members of note of both parties were present; and it passed unopposed. Yet now, at that late period of the Session, he was asked upon a mere technicality to begin again, as it were. As to the informality said to have been committed, he was not aware of it till after the bill had gone through committee, and it was to be borne in mind, that there was no regulation or enactment which required that any notice whatever should be served. The objection ought to have been taken in time; of course he must bow to the decision of the House, but he saw no reason for acceding to the request made by the hon. Member.

Mr. *M. J. O'Connell* would not impute any motives to the hon. Member for Wallingford, but if his intention was to throw the bill overboard he could not take a better course than the one he now pursued. Instead of re-committing the bill, why not allow the report to be brought up now, and the clauses he had to propose might be moved on the third reading, when the House could give them as fair a consideration as in committee.

Mr. *Hodgson* supported the recommitment of the bill, as in justice his hon. Friend, the Member for Wallingford, ought to have an opportunity of proposing the amendment of which he had given notice; but he gave his hon. Friend fair notice that he should feel it his duty to oppose it.

Mr. *Bailey*, jun., thought the hon. Member for Wallingford had made out a case in favour of his motion. He knew from experience that the elections at Sudbury could be and were pure when temptation was not thrown in their way.

The House divided on the question, that the words proposed to be left out stand part of the question:—Ayes 48; Noes 19;—Majority 29.

*List of the AYES.*

Barnard, E. G.	Busfield, W.
Baskerville, T. B. M.	Christie, W. D.
Bernard, Visct.	Colebrooke, Sir T. E.
Blake, M. J.	Courtenay, Lord
Bowring, Dr.	Cripps, W.
Bredie, W. B.	Dennistoun, J.
Bretherton, J.	Dickinson, F. H.
Burroughs, H. N.	Eastnor, Visct.

Eliot, Lord	O'Connell, M. J.
Escott, B.	O'Ferrall, R. M.
Evans, W.	Plumridge, Capt.
Ferguson, Sir R. A.	Plumptre, J. P.
Gill, T.	Protheroe, E.
Greene, T.	Seale, Sir J. H.
Hodgson, R.	Stock, Serjt.
Howard, P. H.	Thornely, J.
Lambton, H.	Villiers, hon. C.
Lefroy, A.	Wawn, J. T.
Lincoln, Earl of	Whitmore, T. C.
Maclean, D.	Wood, B.
Mainwaring, T.	Wyse, T.
Marsland, H.	Yorke, H. R.
Miles, P. W. S.	
Miles, W.	
Norreys, Sir D. J.	
O'Brien, W. S.	

TELLERS.

Redington, T. N.  
Ward, H. G.

*List of the NOES.*

Allix, J. P.	Hervey, Lord A.
Arbuthnott, hon. H.	Jackson, J. D.
Bailey, I. jun.	Lawson, A.
Baird, W.	Mackenzie, T.
Bradshaw, J.	Master, T. W. C.
Broadley, H.	Munday, E. M.
Darby, G.	Pringle, A.
Forbes, W.	Vere, Sir C. B.
Fuller, A. E.	
Grimsditch, T.	
Henley, J. W.	

TELLERS.

Blackstone, W. S.  
Rushbrooke, Col.

Report received. Bill to be read a third time.

RIVERS (IRELAND) BILL.] On the question, that the Speaker do leave the Chair, to take into further consideration the report of the Rivers (Ireland) Bill.

Mr. *Redington* objected to the bill, on the ground, that it gave too extensive powers to the commissioners, and that gross mismanagement had occurred with regard to a drainage company to which this bill related. He complained, that in several instances the funds of the company had been grossly misapplied, and he thought the conduct of the company had been such, that the House ought to pause before it sanctioned this measure. He objected to the retrospective powers which were given by the bill.

Lord *Eliot* said, it was required by act of Parliament, that a valuator should be appointed by the owners and occupiers of land. Those parties had refused to appoint a valuator, and the Government, therefore, wished to remedy the inconvenience to which the company were subjected. He did not think, that by adopting this bill they would be guilty of injustice to any parties.

House in committee.

On clause 10 being proposed, landlords, &c., to appoint a valuator.

Mr. Redington objected to the powers which it conferred upon the company, and moved its rejection.

The committee divided on the question, that the clause as amended stand part of the bill:—Ayes 33; Noes 4;—Majority 29.

#### List of the AYES.

Acland, Sir T. D.	Jackson, J. D.
Allix, J. P.	Lefroy, A.
Baskerville, T. B. M.	Lincoln, Earl of
Bernard, Visct.	Mainwaring, T.
Broadley, H.	Masterman, J.
Brotherton, J.	Miles, P. W. S.
Charteris, hon. F.	Miles, W.
Colvile, C. R.	Mundy, E. M.
Courtenay, Lord	Norreys, Sir D. J.
Cripps, W.	Plumtre, J. P.
Darby, G.	Rashleigh, W.
Dickinson, F. H.	Rushbrooke, Col.
Eliot, Lord	Stuart, H.
Fuller, A. E.	Sutton, hon. H. M.
Henley, J. W.	Vere, Sir C. B.
Howard, P. H.	TELLERS.
Hughes, W. B.	Pringle, A.
Hutt, W.	Young, J.

#### List of the NOES.

Ferguson, Sir R. A.	TELLERS.
O'Connell, M. J.	Blake, M.
O'Ferrall, R. M.	Redington, T. N.
Wyse, T.	

Clause agreed to.—Other clauses agreed to.

House resumed.

House adjourned.

#### HOUSE OF LORDS,

Thursday, June 23, 1842.

MINUTES.] *BILLS.* Public.—*Committed.*—Assessed Taxes Composition.

*Private.*—*Reported.*—Stockton and Hartlepool Railway; North American Colonial Association.

Adjourned.

#### HOUSE OF COMMONS,

Thursday, June 23, 1842.

MINUTES.] *BILLS.* Public.—1°. Stock in Trade; District Courts and Prisons; Manchester, Birmingham, and Bolton Police.

2°. Municipal Corporations (Ireland).

*Re-committed.*—Customs.

*Reported.*—Drainage (Ireland).

*Private.*—1°. Duke of Cleveland's Estate; Viscount Fitzwilliam's Estate.

3°. and passed:—Bathurst's Estate; Leeds Improvement.

PETITIONS PRESENTED. From Kensington Union, Great Preston, Kippax, and Garforth, against the Poor-law Amendment Bill.—From the Hammermith Literary and Scientific Institution, against such Institutions paying Rates and Taxes.—By Mr. S. Wortley, from Liversedge,

Shitlington, Ellands, Northowram, and Windy Banks, against the Mines and Collieries Bill.—By Mr. Young, from Ashfield, for the Alteration of the present System of Education (Ireland).—From the Marquess of Hertford, and the Marquess of Donegal, against the Lagan Navigation Bill.

BELFAST ELECTION COMMITTEE.] Mr. O'Connell was not aware whether any objection would be offered to his now bringing forward the motion which he had introduced yesterday at the instance of the committee on the late Belfast election. That committee had unanimously reported their opinion, that an agent ought to be appointed on each side for assisting in the inquiry intrusted to them. They felt that they could not hope to proceed with a reasonable and sober prospect of doing justice in the case unless they were enabled to nominate agents, one to act for each of the parties. By that mode they would obtain their end, that of a full investigation of the case, without the unpleasantness of appearing as prosecutors, defenders, and judges. Instead of acting from their own impression, they thought that it was better to bring the matter before the House for their decision. This proceeding was the very reverse of being a party motion. Indeed, if any partisan feeling were entertained, it would rather be shown by a desire not to have agents appointed. He should, without further observation move:—

"That the select committee on the Belfast election be at liberty to appoint an agent on each side to assist them in the inquiry into the matters to them referred."

Sir R. Peel said, it appeared to him, on the whole, that it would be better and more advantageous, for the committee to look into precedents, and see what was done on former occasions, in the cases of Stafford and Great Yarmouth for instance, and then to decide as to the course which they should take, instead of coming at once to the House for new authority. The committee, he had no doubt, would act with the utmost desire to conduct the inquiry in a satisfactory manner, so as to arrive at a just and proper conclusion. As to the payment of the expense which would be incurred by the employment of agents, that was a point with reference to which he must reserve himself. He trusted, however, that the committee would not hold out to agents any expectation of a very large remuneration. He certainly would not pledge himself that the public

would defray such a charge. This was one of those cases in which he thought that it would be attended with ill effects to hold out very large inducements to agents. He hoped therefore that the committee would most studiously avoid holding out to agents the prospect of very large remuneration, which might have the effect of procrastinating the inquiry.

Mr. S. Wortley said, the object of the report of the committee was to get the authority of the House for the appointment of an agent on each side to assist in the inquiry, and had no reference as to who was to meet the charge. With respect to precedents, many of them were most inconsistent and irregular. Instances could be shown where agents were paid by the Treasury, and others where they were not so paid. The committee appointed on the motion of the hon. and learned Member for Bath was different altogether, for in that case there was a bill of indemnity. All the committee wanted in this and in the Southampton case was to derive such power from the House as would enable them to conduct the inquiry in a satisfactory manner.

Sir R. Peel still remained of opinion that it would be better for the committee, after due consideration, to act for itself. Surely the committee ought itself to select its mode as well as its time of proceeding. That was the course heretofore taken by the Stafford and Great Yarmouth Committee. As to the expense, he must reserve to himself the right of exercising his discretion on that point hereafter, with a due regard to public economy. He was perfectly willing to confide in the decision of the committee. In his opinion the House was not called on to interfere. The committee could proceed on their own authority, looking to the course which had been adopted by former committees.

Mr. W. Patten thought the committee might conduct the inquiry without the assistance of agents.

Mr. Shaw thought, that unless agents were appointed it would be impossible to proceed satisfactorily, or fairly to meet the justice of the case. Parties would be prepared to advance charges on the one side, but on the other there would be nobody present to take proper care of the interests of those who were accused. The proceeding would be like that before a grand jury when they were about to find a bill. It would be entirely *ex parte*. Evidence

would be called in to support the charge, but there would be no person present, on the part of the accused, to cross-examine the witnesses and to sift the evidence. As the House had delegated to the committee the right of inquiry, surely they ought also to concede to them such powers as were necessary to conduct the inquiry to a satisfactory result. It was the unanimous opinion of the committee that the House should sanction their appointment of agents, and he thought that such an opinion, most deliberately expressed, ought to have considerable weight with the House. To place a case before the court on one side, and not to afford means of fully meeting it on the other, was contrary to every idea he had ever formed of a judicial tribunal.

Mr. Protheroe did not approve of the responsibility which the right hon. Baronet wished to throw on the committee in the appointment of agents. He was ready to proceed with the inquiry, but he entirely objected to the principle laid down by the right hon. Baronet, that they should exercise their judgment as to the appointment of agents, leaving the question of expense to be settled hereafter. They were called on to proceed with a new species of inquiry, and he must say, as a member of the committee, and viewing all the difficulties which they had to encounter, that they ought to receive the utmost support from the House. He was sure the right hon. Baronet was actuated by the best motives in recommending the course which he had done, but he protested against the responsibility that would be thus thrown on the committee.

Mr. O'Connell said, after what had fallen from the right hon. Baronet, and as the House had intimated its opinion that the committee should exercise their own discretion, he was ready to adopt that course, feeling confident that, unless they exercised a very unsound discretion, unless they used a discretion egregiously wrong, the House would sanction their proceedings.

Sir R. Peel thought it would be much wiser if the House were to place confidence in the judgment of the committee. What might be ultimately done with regard to the expenses he could, of course, not undertake to say; yet the resolution of the Lords of the Treasury in the Yarmouth case was to this effect:—

"That they felt the necessity there was of

guarding against the increase of charges of this kind; but, considering the peculiar facts of that case, the agents having been recognised, the main facts of the accusation having been proved, and a prosecution having resulted, they were of opinion that the amount of the bill reduced by a certain sum therein named should be paid out of the monies appropriated to the expenses of committees."

Motion withdrawn.

WAR IN AFFGHANISTAN.] Mr. H. J. Baillie rose to move, pursuant to notice, for

"Copies of the correspondence of Sir Alexander Burnes with the Governor-general of India during his mission to Cabul in the years 1837 and 1838; also copies of the correspondence of the Governor-general of India with the President of the Board of Control, and with the secret committee of the East-India Company, from the 1st day of September, 1837, to the 1st day of October, 1839, relative to the expedition to Affghanistan."

He lamented the indifference of the House to subjects which involved the interest of 100,000,000 of human beings placed under their guardianship. But Providence had interposed, and for want of common sense and foresight a great calamity had occurred—a calamity great even as regarded the actual amount of the loss sustained by this country, but still greater if we contemplated its moral effects. It was a remarkable fact, as bearing upon those moral effects, that three great powers of Europe were at the present time engaged in a contest of a similar character. In each case, there had been a similar wrong; in each case that wrong had been followed by similar results. It were difficult to say which nation had committed the greatest amount of folly and injustice—the Russians in Circassia, the French at Algiers, or the English in Affghanistan. Each was reaping bitter fruits, and suffering a severe but just retribution. The stern valour of the Russians had been defeated by the rude tribes of the Caucasus; the military power of the French had been equally defied and resisted by the fierce and fanatic Arabs of the Desert; and now, the resources of our Indian empire were being wasted in the vain attempt to subdue a race of men no less fierce and valiant, a country no less fitted by nature for defence, and so remote by its position as to render war on a large scale almost a hopeless undertaking. In such a state of things, he

that he was not doing too much to ask for information as to the circumstances under which such a war was undertaken. He had reason to know, that a great military authority in India interfered before the commencement of the war, upon which, as a military man, he was called upon to give his opinion, and he did give the Government the best and the soundest advice. He told the Governor-general, that the war which he was about to undertake was both impolitic and unjust—impolitic in a political point of view as regarded Dost Mahomed Khan, and still more so in a military point of view, as placing the British army in a position so distant and remote from the resources which must form the basis of its operations as to increase the possibility of defeat, and the impossibility of retreat. That high military authority then urged the principle of making the Indus the boundary of our empire in India, and he also embodied his opinions in a protest when the Indian army assembled at Bukkur, in January, 1839, prior to its entering Affghanistan. He should have thought, that before undertaking an expedition of so important a character the opinion of some great military authority at home might have been consulted—the present Commander-in-Chief, or, a higher authority still, the Duke of Wellington. If either of those two high authorities had been appealed to, there was every reason to believe, that their opinion would have coincided with that delivered by the Commander-in-Chief of the army in India. On the other hand, what were the reasons of the Governor-general of India for adopting the course he did with regard to Affghanistan, a course by which it must be admitted that our empire in India was rather weakened than strengthened? Those reasons of the Governor-general were stated in a manifesto published by him before the troops went to Affghanistan. It was dated Simla, October 1, 1838, and contained this passage:—

"It has been clearly ascertained from the information furnished by the various officers who have visited Affghanistan, that the Barukzye chiefs, from their disunion and unpopularity, were unfitted, under any circumstances, to be useful allies of the British Government, and to aid us in our just and necessary measures of national defence."

Now, this was contrary to the information received from other quarters. Speak-

ing of Dost Mahomed Khan, Captain (subsequently Sir Alexander) Burnes in his travels, said,

"The reputation of Dost Mahomed Khan is made known to a traveller long before he enters his country, and no one better merits the high character he has attained."

Again :—

"The justice of this chief affords a constant theme of praise to all classes; the peasant rejoices at the absence of tyranny, the citizen at the safety of his home and the strict municipal regulations regarding weights and measures, the merchant at the equity of the decisions and the protection of his property, and the soldiers at the regular manner in which their arrears are discharged—a man in power can have no higher praise."

From another English traveller in Afghanistan, and the Punjaub, Mr. Vigne, we learned,

"That Dost Mahomed was renowned for his justice; so much so, that when anything even seemingly arbitrary occurred, it was not unusual to exclaim, 'What! is Dost Mahomed dead, that there is no justice?'"

But there was another English gentleman who also resided long in Afghanistan, and who had been considered as a very great authority by the Indian Government—he meant Mr. Charles Masson, whose opinions he would read to the House. That gentleman, in the papers published by the Bombay Geographical Society, writes as follows :—

"We now arrive at the flourishing state of Cabul under the government of the brave and popular Dost Mahomed Khan, emphatically designated one of the swords of Khorasan, by his brother, Visiz Futteh Khan. It is cheering for the traveller in these generally misgoverned regions to reach some spot where order and security prevail, and to be able to range over the wildest scenes, where, although the ruffian inhabitants possess every desire to plunder, they are restrained by the vigilance of their ruler from its exercise."

He goes on to say, that—

"Whether his energies are to be displayed in the defence of his country against the ambition of the Sikhs, or exercised to extend his sway, is matter of argument; but he is universally regarded as the only chief capable of restoring the Dooranee fortunes. He is beloved by all classes of his subjects."

And this was the man whom the Governor-general described as unfitted by his unpopularity to be an ally of the British Government, and these were the opinions of the only persons who had

visited Cabul previous to the marching of our expedition, with the exception of those who had accompanied Captain Burnes! Lord Auckland, in his manifesto, goes on to state,—

"After serious and mature deliberation, the Governor-general was satisfied that a pressing necessity, as well as every consideration of policy and justice, warranting us in espousing the cause of Schah Soojah-ool-Moolk, whose popularity throughout Afghanistan had been proved to his Lordship by the strong and unanimous testimony of the best authorities."

Now, he had no hesitation in asserting that this statement was equally unfounded with the preceding; that it was contrary to all the information furnished by Captain Burnes, and contrary to all the facts and circumstances that had come to our knowledge. If Schah Soojah had been so popular as he was here described, why were not our troops withdrawn from Afghanistan after they had achieved the object which was in view? Why were they not withdrawn unless it was found impossible to maintain Schah Soojah upon the throne without the presence and the aid of British troops? The object of the war was to depose Dost Mahomed, who had been gained over by a Russian agent. But the Governor-general, in pursuing that object, seemed not to have calculated the feelings, wishes, or opinions of the people, or to have imagined, that by the very conquest which should place Schah Soojah on the throne we should produce in the minds of a great and an independent people the most inveterate hatred and animosity towards this country. Such, at least, appeared to have been the natural consequences of our interference; and, come what might now, we could never calculate that the people of Afghanistan would entertain any other feelings towards us but those of hatred and animosity. They would be prepared at all times to join either Russia or Persia, or any other armed force that might be brought into Central Asia against us. It might be argued, in justification of the course pursued by the Governor-general, that he had mistaken the feelings and wishes of the people; but upon military grounds such a justification was wholly inadmissible, and such a course wholly indefensible, and he was convinced, that no military man of reputation would ever have ventured to recommend it. In bringing forward this motion, he wished it to be distinctly understood, that it was not

his object to make charges against the late Governor-general of India, or against the right hon. Gentleman, the late President of the Board of Control. They might be able to justify themselves by the production of papers, but what he asserted was, that sufficient information had not been laid before the House to enable them to arrive at any fair or just conclusion. The papers relating to India already before the House were meagre and insufficient, and contained such garbled extracts of letters, that it would be impossible to arrive at any fair or just conclusion by their aid alone. The only justification which they offered of the course pursued by the Governor-general of India was, that it was impossible for him, at that particular period in question, to have made any satisfactory treaty with the former chiefs of Afghanistan. Now, Captain Burnes, whose mission was nominally commercial, but really political, said, that he found Dost Mahomed Khan not only well-disposed towards the British Government, but so eager to form a treaty with us, that he at once broke off negotiations he had entered into with Persia for that purpose. His offers, however, had been rejected by the British Government. The House would naturally desire to know what those offers of Dost Mahomed were at that time. The offers and terms which he proposed were precisely laid down by Captain Burnes in one of his despatches to the Governor-general. It was dated Cabul, the 25th of April, 1838, and addressed to Mr. (subsequently Sir) W. H. M'Naghten:

"On the 25th I received another visit from Sirdar Mahir Dil Khan, who was accompanied by the Newab Jubbar Khan, Mirza Samee Khan, and the Naibs of Candahar and Cabul; the deputation was a formal one from both branches of the family. The Sirdar now informed me that the Ameer had agreed to write to the Maharajah through the Governor-general to dismiss Captain Vicovitch, to hold no further communication with other powers, and to write to the Schah of Persia that he had done with his majesty for ever. The Sirdars of Candahar, on their part, agreed to address the Schah, recall Ullahdar, the agent who had accompanied Kumber Ali, and to place themselves along with their brother, the Ameer, entirely under the protection of the British Government, in return for which they claimed at its hands two things—first, a direct promise of its good offices to establish peace at Peshawur and an amelioration in the condition of Sultan Mahomed Khan; and, second, a promise equally direct to afford

them protection from Persia in whatever way the British judged it best for their interests, it being clearly understood that Candahar was not to be allowed to suffer injury."

Now, was it possible to make more fair, more just, or more advantageous proposals? And yet the answer of the British Government was a positive and direct refusal. They desired, certainly, that the moral influence of British power should be exercised to induce compliance with the demands; but the House should observe, that Dost Mahomed did not understand the meaning of moral influence. Captain Burnes, addressing Mr. W. H. M'Naghten, Jellalabad, April 30, 1838, said—

"It is, however, useless to dwell further on what were either the hopes or expectations of the Ameer and his family; no arguments drawn from my presence, or that of Mr. Leech, at Candahar, being proofs of our sympathy, would satisfy them, nor would they view the cessation of hostilities at Peshawur, the clear result of such presence, in that light, but they demanded of me a clear, explicit, pledge of protection from Persia, or money to raise troops to protect themselves, which I could not grant."

He went on to say—

"An Afghan cannot be disposed to understand the moral influence of British power, and arguments unsupported by acts have no weight in Cabul, and it is to be remembered that the menacing attitude of Persia sharpens the apprehensions of the Afghan chiefs."

Dost Mahomed was certainly accused of having listened to the proposals of a Russian agent, and the fact could not be denied; but he had not done so until after the Governor-general had refused to make a treaty with him, at a time too, let the House observe, when he did not insist upon the restoration of Candahar. In order to show the House that Dost Mahomed had acted with perfect good feeling and good faith at the commencement of his negotiation with Captain Burnes, he would read an extract from one of the suppressed despatches, some of which were now in course of publication:—

CAPTAIN BURNES TO MR. W. H. M'NAGHTEN.

"Cabul, Dec. 20, 1837.

"On the morning of the 19th, (that is, yesterday), the Ameer came over from the Bala Hissar early in the morning with a letter from his son, the Governor of Ghuznee, reporting that the Russian agent had arrived at that city on his way to Cabul. Dost Mahomed Khan said that he had come for my counsel on the

occasion, that he wished to have nothing to do with any other power than the British, that he did not wish to receive any agent of any power whatever so long as he had a hope of sympathy from us, and that he would order the Russian agent to be turned out, detained on the road, or act in any way I desired him. I asked the Ameer if he knew on what business the agent had come, and if he were really an agent from Russia? He replied, 'that I had read all his letters from Candahar, and that he knew nothing more.' I then stated that it was a sacred rule among civilized nations not to refuse to receive emissaries in time of peace, and that I could not take upon myself to advise him to refuse any one who declared himself duly accredited, but that the Ameer had it in his power to show his feelings on the occasion by making a full disclosure to the British Government of the errand on which the individual had come, to which he most readily assented."

Now, he asked if it were possible to show greater goodwill or devotion to the British Government than was here described? As some doubts were entertained about Captain Burnes's own opinions, he would read another extract from one of his suppressed despatches, in order to let the House see what course Captain Burnes conceived the British Government ought to have adopted on that occasion:—

*"Cabul, January 26, 1838.*

"I have not hesitated, while reporting on a question of this magnitude, to give expression to sentiments which have been adopted after much reflection on the scene of these distractions. Since arriving here I have seen an agent of Persia, with alluring promises, after penetrating as far as Candahar, compelled to quit the country because no one was sent to invite him to Cabul; following him, an agent of Russia, with letters highly complimentary, and promises more than substantial, has experienced no more civility than is due by the laws of hospitality and nations: it may be urged by some that the offers of one or both were fallacious, but such a dictum is certainly premature. The Ameer of Cabul has sought no aid in his arguments from such offers, but declared that his interests are bound up in an alliance with the British Government, which he never will desert as long as there is a hope of securing one. It is evident, therefore, that in this chief we have one who is ready to meet us, and from what is passing in Central Asia at this moment, it is anything but desirable to exhibit indifference to the solicitations of one whose position makes him courted, and whom aid may render powerful for or against us."

Something had been said of the intrigues of Russia, but the expedition to Afghanistan was not undertaken until

after the siege of Herat was abandoned, and until explanations had been demanded and received from the Russian Government. There was but one more extract, with which he would trouble the House. It was from Ameer Dost Mahomed Khan to Lord Auckland, received at Jugdaluck, April 28, 1838, by Captain Burnes:—

"Since Captain Burnes's arrival we have done everything according to his advice. The Sirdars of Candahar prevented their son going to the Schah by his letters, and none of us have hitherto contracted friendship with any other power. It is well known to your Lordship that the Affghans expected very much from the English from the day Mr. Elphinstone came to Afghanistan, for that gentleman made a treaty with the Affghans of the following nature:—1st, that the Affghans should not allow the united powers (French and Persians) to pass through Afghanistan for an invasion of the British possessions in India, but must oppose those powers on the part of the English; 2nd, that when the French and Persians come to subdue Afghanistan, the British will give them pecuniary assistance. The time has now arrived that the Affghans should be done by according to the second article of the above treaty; but, alas! the whole of this nation is disappointed in what they were so long expecting. The British Government has given to us aid of no kind, notwithstanding our abstaining from friendship with other powers. I have really done so, and intended to do so, but your agent (Captain Burnes) not having the power, neither gave us happy news of the restoration of Peshawur, nor of protection from the Persians. Since Captain Burnes discovered that the Affghans were quite disappointed, and he has no powers from your Lordship to satisfy this nation, he is now returning to India with my permission. When Captain Burnes reaches India he will minutely speak to your Lordship on all the circumstances of this place. There are many individuals who have enjoyed the favour of the British, but our disappointment is to be attributed to our misfortune, and not to the want of the British Government—what is worthy of the good name of the British Government, it I hope will come to pass in future."

After hearing the evidence contained in these papers, he thought the House would agree with him that it was manifestly in the power of the Governor-general, had he pleased, to form a satisfactory treaty with the rulers of Afghanistan—a treaty which would have superseded the necessity for war, and which might have laid the foundation of a lasting friendship, equally honourable and useful to both nations. Such a course was strongly urged on the Governor-general by Sir Alexander



Burnes; indeed, it was stated, although the fact did not appear in the papers before the House, that that individual had absolutely made a treaty on his own responsibility, which treaty the Governor-general refused to ratify, and reprimanded him for making without authority. That the Governor-general was induced to take such a course was a subject of deep regret, and he could only attribute such diplomacy to the warlike spirit which marked the councils and influenced the conduct of the Government in India. But there was another part of this subject well deserving their consideration. The right hon. Baronet at the head of the Government had, on introducing his financial scheme to the notice of the House, called their attention to the state of Indian finances, to the amount of money already, and likely to be hereafter expended, and to the necessity of providing against any failure in the legitimate means of meeting the extraordinary demand. It was always desirable to know what they had to pay, and especially so where the payment was likely to be so heavy. He held in his hand an account of the expenditure of the Indian Government, both before and after the war, and with the permission of the House he would shortly state the results he collected from it. The expenditure for the three years previous to the war was as follows:—

1835-36 . . .	£16,746,678
1836-37 . . .	16,913,331
1837-38 . . .	17,241,673

Those were three years of peace, and during those years the average expenditure was 16,967,227*l*. The four succeeding years were years of war, during which the expenditure was:—

1838-39 . . .	£18,509,686
1839-40 . . .	19,108,412
1840-41 . . .	20,531,051
1841-42 . . .	20,750,783

The average of these years was 19,724,983*l*., showing, of consequence, an increase in each of the four years of 2,757,756*l*., or, altogether, of 11,031,024*l*. He believed the estimate of the payments to be made during the present year was considerably greater; indeed, he had heard the amount mentioned at not less than 1,000,000*l*., or 1,200,000*l*. more than last year; so that the excess of the war over the peace years might be taken altogether at nearly 15,000,000*l*. It might be de-

sirable, under such circumstances, to consider what was the relative position of the Indian Government to the House of Commons. The House of Commons, in point of fact, exercised no influence, no authority, no control whatever, over the Indian Government. They had seen that the late Governor-general entered upon wars, throned and dethroned princes, made and violated treaties, as if he were himself an independent potentate. That House had no control over any one of his actions; but happily they still retained the power of judging how far the authority he exercised had been judiciously or injudiciously employed; and he must say that he thought it in the highest degree desirable that they should employ themselves to the consideration of that question, and come to a deliberate opinion whether in this case that power had been used or abused. The means of forming that judgment would be obtained by assenting to this motion—by ordering such papers to be produced as would enable the country to decide whether, on sound principles of international policy, this war was or was not defensible. He wished the task of moving for the papers, and, consequently, of bringing the subject before the House, had devolved on some one more able than himself, for he well knew how inadequate were his powers to the proper performance of the task; but no one else having undertaken the responsible office, he had considered it a duty not to let the subject drop. He had only to add, before he sat down, that with regard to the course her Majesty's present Government was pursuing, he could entertain no doubt whatever of its perfect propriety. Great Britain was now placed in such a position, that she had no other resource but to take those steps which were best calculated to vindicate the honour of the British name. On that point he was sure there would not be a dissentient voice, at least among those who thought, as he presumed all who heard him thought, that it was desirable to preserve the British empire in India.

Mr. *D'Israeli* begged to second the motion of his hon. Friend, and he did so for this reason, that it was the first step to an inquiry into transactions perhaps the most important since the peace, transactions which were involved in mystery, and which had led to disaster. He could not conceive a more legitimate subject for Parliamentary inquiry than public acts

attended with such circumstances. His hon. Friend had placed before the house, with great clearness and accuracy, the rationale of the warlike operations beyond the Indus; he had demonstrated, in a manner he thought complete and unquestionable, that if it had been necessary for us to have interfered in those regions, there were prepared for us the elements of influence and the ready agents for our purposes; that we might have exercised any control we had desired without recourse to war, and by means of the native and established and popular authorities of the country. But the question which he (Mr. D'Israeli) wished to raise was this,—was there any necessity for any interference of any kind on our part in those countries? He wished, in short, to know the origin of this war, the object of this war, and, above all, he wished to know who was to pay for this war. The right hon. Gentleman the First Lord of the Treasury had come down to the House this Session to impose a very obnoxious, but he (Mr. D'Israeli) believed necessary tax, and he (Sir R. Peel) mainly upheld its necessity by the state of Indian finance. By the newspapers of that morning, he (Mr. D'Israeli) observed that no less an authority than the chairman of the East India Company had conveyed to the court of proprietors a very unequivocal intimation, that he looked to her Majesty's Government to defray the expences of the invasion of Afghanistan. These were significant expressions of opinion, and rendered it incumbent on the House and the country clearly to comprehend the character of a war of which the origin and object were alike obscure, and yet for which, as it appeared, they were to be called upon to pay. Under any other circumstances, it would not perhaps be difficult to ascertain the cause of a war in which the country had been engaged for years. They might, under other and usual circumstances, refer to a message from the Crown announcing the fact of war being declared, and to the consequent exposition of the Minister explaining and vindicating its policy and necessity. But in the present instance there was nothing of the kind. In old days the prerogative of declaring war and concluding peace had been entrusted, not without reason, to the East India Company. It was a great trust necessary for the formation and consolidation of their empire, and which it could never be their interest to exercise with any

other view, or for any other object. But when the Government of India was virtually transferred from Leadenhall-street to Downing-street, it was clear that there was every chance of Asiatic wars being carried on for European purposes; if carried on for European purposes, paid for by European revenues; and therefore the Parliamentary control which attended all similar operations should have accompanied these. He knew it might be urged that Parliamentary control might be an inconvenient adjunct to affairs so distant as those of India, and springing out of events with which Parliament might be little familiar; he knew he might be referred to the splendid administration of Lord Wellesley, that it might be urged that that great statesman would never have been able to baffle the combinations in Mysore and the Marhatta confederacy, had he been subject to the control and preliminary approbation of a British Parliament. But the House would find on reflection that there really was no analogy between the instance of Lord Wellesley's operations and those at present under discussion. At that time England was at war with France in Europe, and the East India Company was at war with France in Asia. All was consistent, intelligible, and politic. But in the present case, England was at peace in Europe, and we really are totally unacquainted with whom the East India Company is at war in Asia. The enemy is not to be discovered in the manifesto of the Governor-general. That was rather an order for the assembly of troops than a declaration of war. War indeed had never been declared, and for an obvious reason, we had no apparent foe. But although neither from that document, nor by a message from the Crown, nor the exposition of the Minister, the House had been informed the cause of these extensive and now disastrous operations; still, on the only occasion when any reference had been made to the war in this House, and when it was distinctly agreed that the political merits of the question should not be alluded to, he meant when they voted, in the last Parliament their thanks to the army, by a strange inconsistency two Members of the then Cabinet, and both connected with India, lost in the intoxication of success, and carried away by the excitement of their triumph, apologised for deviating from the course which they had themselves laid down, and all

had agreed to, and could not refrain from congratulating the House and the country on the great results obtained. These results thus obtained must have been the causes that impelled. What were they? It appeared, then, from the statement of the right hon. Gentleman opposite, the late President of the Board of Control, that this war was undertaken to prevent an invasion of our Indian empire by Birmah; to control the menacing attitude of Nepaul; to tranquillize the interior of India, and check the intrigues of native princes. With respect to Birmah, it would seem a somewhat singular remedy to prevent the invasion of our south-eastern frontier, that we should ourselves invade countries beyond our north-western. If Napoleon had given as his reason for the invasion of Moscow, his desire to prevent an insurrection in Madrid, he would have offered a reason as german to the occasion as the first reason offered by the right hon. Baronet for the war in which he has involved us. As to the menacing attitude of Nepaul, it is a state with which we have already waged a successful war—we have despoiled Nepaul of its richest provinces and its strongest holds—we have reduced its inhabitants to a population of 2,000,000 of mountain clans, a warlike population it is true, but to march over the Punjaub and to invade the centre of Asia in order to check Nepaul, is as if George the 2nd had fought the battle of Minden to check the Highlanders of Scotland. Some frigates at Rangoon and some extra regiments on the Nepaulese frontier would have been more efficient and more logical engines to prevent invasions from Birmah and Nepaul than marching large armies in an exactly contrary direction. But then, said the right hon. Gentleman, there were symptoms of insurrection at home, and the mode which the Ministers of the Crown took for suppressing it, was to march all the troops abroad. A rising is apprehended in the centre of Hindostan, and the Indian army is consequently marched across the Indus. The right hon. Gentleman was followed on that occasion by one of his Colleagues, an individual entitled to the attention on this occasion not merely from his official station and the splendour of his abilities, but from the circumstance that he had a local acquaintance with India, and had been himself a member of the Council of Calcutta. What were the reasons for the invasion given by

this right hon. Gentleman? He added the sanction of his authority to the statement of the late President of the Board of Control, that it was necessary to invade the centre of Asia to prevent an invasion from Birmah and an assault from Nepaul—he reiterated their statements. But he gave an additional reason for these wars, and coming from such a quarter, it will of course command attention. According to the right hon. Gentleman, the internal state of India previous to the invasion of Affghanistan was of a very peculiar kind. According to him there was an indefinable restlessness in the public mind, a strange uneasiness, a singular and alarming looking forward to something they knew not what, an apprehension of something unknown, a mysterious conviction founded on no facts, authorised by no events, that “the star of England was no longer in the ascendant,” and it was necessary, the right hon. Gentleman assured us, that this expedition should be undertaken in order to re-establish the confidence of the people of India in our “star.” He told us it had quite succeeded in producing the desired effect. It had been produced, he said, by our glorious triumph at Ghuznee. That was the event, he assured us from his local knowledge, which had re-established the confidence in our star. Perhaps the right hon. Gentleman may inform us to-night how the “confidence in our star,” which according to him is the foundation of our Indian empire, stands since the re-capture of Ghuznee. He really did hope that in these hard, dry, matter-of-fact, Income-tax days, statesmen would be prepared to offer some more substantial reasons for their policy, than the expediency of restoring “confidence in our star.” They all recollected that once a great master of rhetoric, superior even to the right hon. Gentleman, had declared that our empire in India was an empire of opinion. But the India of Mr. Burke was not the India of the present day; and if, when he indulged in that celebrated aphorism, Mr. Burke wished to convey that our authority in Hindostan was the result of a superstitious conviction of our supremacy in arts and arms, he must remind the House that the relations between England and India since that period had much changed. If we had become more powerful, the population of India had become more enlightened as to the elements of our power. He believed there was no

country in which those elements were more minutely scanned, or subjected to a severer scrutiny than India itself. If he believed that "confidence in our star" alone, or principally, constituted the tenure by which we held India, he should despair of holding that country for any considerable period. In calculating the relative power of England over that country we were too apt to commit the fallacy of estimating our own strength in one balance, and placing in the other the resources of 150,000,000 of inhabitants. We were too apt to forget that India was a region which consisted of no less than thirty distinct nations, differing in race, in creed, in manners, laws and customs, and above all in language; many of them unacquainted with each other, or knowing each other only by traditionary enmity or prejudice; a greater number of nations, indeed, than constituted the continent of Europe, and affording a greater contrast in their qualities and their ideas than the Greek and the Scotchman, the Spaniard and the Hollander. In relation to any one of these single states, races or nations, England could exercise irresistible power, and to suppose that they could combine against England, was far more improbable than to suppose that all Europe would combine for the same purpose. He could not, therefore, taking all this into consideration, allow himself for a moment to believe that our disasters in Asia, terrible as they had been, were capable of producing any permanently injurious effect upon our eastern empire. He remembered that we had before suffered great defeats in India itself. He did not forget that we had led two armies routed or cut to pieces in Mysore. He remembered that the ablest of our eastern generals, Lord Lake himself was thrice repulsed before Bhurtpore, and that 3,000 British soldiers had been left in its breach. He had not forgotten Monson. And he believed that all these were occurrences, which at that time, and under these circumstances, were calculated to exercise a much more injurious influence over Indian opinion, than any disaster which had taken place in Cabool. So far from being of opinion that our empire in India was one easily to be shaken, he believed on the contrary, it was one maintained by a power not inferior to that by which any existing authority maintained its rule. He would take the liberty of mentioning to the House, what in his

opinion were the elements of our Indian tenure. He did not believe, that we should be deprived of that empire either by internal insurrection or by the foreign invader. If ever we lost India, it would be from financial convulsion. It would be lost by the pressure of circumstances, which events like the war in Afghanistan, were calculated to bring about by exhausting the resources of the country in military expeditions, and by our consequent inability to maintain those great establishments which were necessary to the political system that we had formed and settled in Hindostan. And in the first place, we held India by a civil service, the most intelligent and the best organised that ever belonged to any country; secondly, we held India by an army very numerous and highly disciplined, and so peculiarly constituted, that there are no troops where fidelity can be more surely reckoned on. The third element of our tenure was the landed settlement which we had so wisely instituted and guaranteed in the richest provinces of the country, and by which the proprietary interests of 40,000,000 of the population were bound up with our political existence, and the power that possessed the valley of the Ganges would always command India. In the next place, we possessed the sympathies of the mercantile and monied class, naturally attached to a Government who places above all considerations a reverence for public credit. But the most important element of the tenure by which we held India could only be understood by looking at the map. There we might remark what he might be allowed to call the diplomatic geography of India, by which the territories of every native prince were isolated; surrounded in every instance by the dominions of the company, and unable therefore to carry on any military communication with each other. The population, too, of these separated states by difference of creed and caste, were prevented from combining and communicating with each other. It was, therefore, in the isolation of the native states, and what he might be allowed to style the segregation of their subjects, that he found the fifth and not the least influential element of our Indian tenure. He could not believe, that an empire thus constituted could be endangered by a single military disaster in a distant land. It was not one, nor three such defeats, that could endanger our In-

dian empire. He felt assured that such disasters in Asia would not exercise a greater influence over our power in that quarter of the globe, than similar defeats in Europe might produce on our European character and influence. The defeat at Cabool might have the same effect on our authority in reference to opinion, as the defeat at Walcheren or Buenos Ayres, but nothing more. It would, to a certain extent, perhaps, sully the character of our arms; but if our empire in India could be shaken, or even endangered, by such a defeat, he must conclude that we held our sway by a very feeble and fragile tenure. He believed, however, there were causes at work in India which had produced great evil, and which, if unchecked, might occasion great catastrophes. He did not allude to those intrigues of native princes, which appeared to disturb the dreams of the right hon. Gentleman opposite (Sir J. Hobhouse). We knew something of the intrigues of native princes. There was the Rajah of Satara for example, who, it was alleged, had engaged with the governor of Goa, that Lisbon should invade India with 30,000 Portuguese troops, and the right hon. Gentleman believed it, the only man in England who did. But the Rajah was dethroned in consequence. These were not the casualties that alarmed him, any more than the proud boasts of Ara, or the dark designs of Nepaul; but seeing that we had reared in India a structure of society, of a very complicated nature, which was upheld by great civil and military services, and that was beyond our frontiers, were draining and diverting the revenue, which was necessary for the support of these establishments. Here was the danger; hence might be the catastrophe. His hon. Friend, who introduced this motion to the House, had dwelt on the inability so often experienced, of inducing the House to listen to discussions on Indian affairs. But his hon. Friend should recollect, that matters in this respect had of late much changed. We had an Income-tax now. That tax, which, to use the words of Lord Bacon, "came home to every man's business and bosom," would make hon. Gentlemen attend to the affairs of India, whose embarrassed finances, according to the first Minister of the Crown, were a principal reason for the infliction of this impost. And, indeed, however severe might be the pressure of

that tax, if it had the effect of inducing the merchants and manufacturers of England, and those who represented them, to examine into the cause why there had been of late so many markets lost, or disturbed, it would not be without its countervailing advantages. In 1837, the Indian market for English manufactured goods was prosperous and expanding. India, in its commercial character, had begun to attract considerable attention in England. Some alleviation of the prohibitory system, which had been so long extended to its native products, had already been carried into effect; and that cry for commercial justice to India, which, in 1840, obtained still more important ameliorations had already been heard and listened to with sympathy and consideration. British capital began to transfer itself to Hindostan; and the sugar and coffee of our Indian possessions were competing in our home and colonial markets. All these concurrent causes had occasioned a considerable increase in our exports to India in 1837 and 1838; and these transactions were of a strictly legitimate and healthy character, occasioned by the demand of the native population, and not impelled by the mere speculation of the home manufacturers. The House should be aware of this, that there was in those years, previous to the commencement of the war in central Asia, a rapidly increasing demand in India for our products. Our Indian market indeed had never been in a more satisfactory condition. It was to the war, and to the war alone, that he (Mr. D'Israeli) imputed the disastrous reduction in price that had since occurred in every article of British produce, not to over-production, not to the markets being glutted, because he could prove in a manner incontestable, that the native demand had fully warranted the supply. No, it was to the drain of the precious metals, occasioned by the Afghan war, and the action of that monetary subtraction on the currency of India, that the paralysis of our Indian commerce was solely to be attributed. The fall of prices had borne an exact ratio with the withdrawal of specie. It had been gradual, regular, unbroken by a single interval of exception. On this respect they had the best evidence in the world; testimony untainted with party or prejudice, unimpeachable. He meant the price currents of the Indian markets. They would prove,

that the Afghan war had afforded its ample quota to the present prevailing distress. He would, aware of the natural dislike of the House to listen to the details of such documents, only refer to these sources of proof. Yet he might perhaps be permitted to refer to one article of paramount interest in that House, as illustrative of the conclusion which he was anxious to impress on them; he meant the article of cotton twist.

## COTTON TWIST (No. 20).

			ANNAS
1838	..	..	9 per lb.
1839	..	..	7 "
1840	..	..	6½ "
1841	..	..	6 "
1842	..	..	5½ "

The same effect might be traced in the price of woollen goods—and it was a circumstance which well deserved the attention of Gentlemen who represented Leeds or Bradford.

## WOOLLEN PIECES

			RUPEES
1838	..	..	7½
1839	..	..	6
1840	..	..	6
1841	..	..	5½
1842	..	..	4½

He might, perhaps, be permitted to refer to the article Cochineal.

			RUPEES
1838	..	..	4 per lb.
1839	..	..	3½ "
1840	..	..	3½ "
1841	..	..	2½ "
1842	..	..	1½ "

This reduction in price, common to every article of Indian commerce, was attributable to one cause, viz., the drain on the circulating medium caused by the wars beyond the frontier. There was, indeed, no country in the world so sensitive to a subtraction from its currency as India, and for this obvious reason, the monetary system of that country was under the most favourable circumstances, incapable of adequately representing its property and the operations of its trade. It was a country where 24 per cent. was not esteemed an usurious exaction for money, and where the cultivator of the soil, for the necessary capital, for the common operations of tillage, often paid 70 per cent. Parliament had ample evidence of the peculiar character of the monetary system of India. It consisted mainly of specie to the amount perhaps of sixty, to sixty-

five millions sterling, with no aid from paper to any significant amount. He repeated, it was not a currency capable of representing the operations, either of the property, or the commerce, of such a country. The evidence of Mr. Trevillian, the present under-Secretary of the Treasury, and who had lengthened local experience of India and its government, as given before the committee of the House of Lords on Indian commerce, proved that the great financial catastrophe of 1832, in India, had been occasioned by the East India Company's requiring during that period certain extensive payments to be made in specie. This amount has not been estimated, he understood, as high as a million and a-half sterling. Yet the subtraction of this amount of specie, during a period of two years, gave a fatal shock to the whole monetary affairs of India. If such an effect followed the drain of only a million and a-half, the House might conceive the result of the past, and the continued expenditure of the war in Afghanistan? But it was not only the effect of this subtraction of treasure that they had to consider in estimating the injury which this war had entailed on their eastern commerce; there were some markets which it had absolutely destroyed. The traffic between Sinde and Candahar, previously so active and profitable, no longer existed. This had been carried on by camels, a race of animals nearly destroyed by the invasion of Afghanistan. 50,000 of these animals had already perished; 30,000 were in requisition by the army and could not be supplied. Hon. Members would be able to appreciate the effect which the destruction of these camels had upon the countries in the north-west of India, if they would only attempt to conceive what would be the state of England, if the Great Western Railway and the Birmingham Railway and their cross branches were suddenly broken up. Every merchant who traded from Bombay and Sinde with Afghanistan and Tartary had countermanded their orders and in many instances, the Mooltan merchants at Bombay especially, had closed their establishments from the absolute inability of carriage and communication. That trade with Tartary to secure which, they had been told was one of the objects of this invasion had been lost by these very means, while at the same time there was

carried on an active commerce between the Russian territories and Tartary, by the aid of that very treasure which we had wasted in Central Asia. When the manufacturers of this country complained of distress and unemployed capital and labour, they should take into consideration the effect of these Indian wars on once thriving markets. It was surely, therefore, the duty of the House to enquire into the cause of this mysterious war, a war for which no cause had as yet been given. No one pretended that there had existed among the Affghans any hostile feeling towards England—no one could for a moment entertain the idea, that the mountain chiefs of Central Asia were combining against this country. Yet there must have been some reason to induce us to invade regions which had baffled the greatest conquerors, some reason must have induced us to scatter coronets and pension victorious captains; some reason for bringing about a state of affairs which forced the right hon. Gentleman at the head of the Government to direct the attention of the House to the propriety of seriously taking into consideration the state of Indian finance. The late Ministers of the Crown, those fortunate Gentlemen, who proclaimed war without reason, and prosecuted it without responsibility, would have an opportunity to-night of throwing some light upon these circumstances; they would have an opportunity to-night of telling us why that war was entered into. Would they tell us that it was necessary to create a barrier for our Indian empire? When he looked at the geographical position of India, he found an empire separated on the east and west from any power of importance by more than 2,000 miles of neutral territory, bounded on the north by an impassable range of rocky mountains; and on the south by 10,000 miles of ocean. He wanted to know how a stronger barrier, a more efficient frontier, could be secured than this which they possessed; which nature seemed to have marked out as the limit of a great empire. But they wanted a barrier. A barrier against whom? Who was the unknown foe against whom we waged these mysterious wars, to baffle whom, we attacked chieftains who were not our enemies, invaded countries with which we had no quarrel, incurred ruinous expenditure, experienced appalling disasters? The foe could not be Russia.

For the noble Lord opposite, the late Secretary of State for Foreign Affairs, had distinguished himself by several remarkable dispatches on this subject; it would seem that for a moment the noble Lord, misled, perhaps, by erroneous information, had entertained some suspicions of the good faith of our ally, and the noble Lord called Russia to account, and Russia explained, and the noble Lord had stated that the explanations were perfectly satisfactory. [Lord Palmerston: I said the assurances of Russia were satisfactory.] Oh! then, it was Russia. He took the noble Lord at his word—since he had quitted office, he had become candid. The noble Lord did want a barrier against Russia—with the noble Lord's peculiar views he was not surprised at this. The noble Lord had always been suspicious of that country. He had appealed to Europe against Russia. He had made men ambassadors, because they had written pamphlets against Russia. He had established a periodical work for the sole purpose of opening the eyes of the people of England to the designs of Russia. And now the noble Lord wanted a barrier against Russia for India. But was India violated? If they wanted a barrier against Russia for the sake of India, they wanted a barrier against Russia for the sake of England. Was England to be inactive if Russia invaded India? India was part of England. He (Mr. D'Israeli) protested against the principle, that if our empire in India was menaced by Russia, the struggle was to be confined to Asia. It was the noble Lord's duty, if Russia really menaced India, to arrest the progress of Russia in the Baltic or the Black Sea, not by the invasion of neutral nations and intermediate regions, which even Russia had not assailed. It was the noble Lord's duty in such a case to advise his Sovereign to declare war, and to communicate to Parliament the reasons why war had been declared. But if all this were true, if it were true that this expedition had been undertaken to check Russia, if this were explained, the expression of the late President of the Board of Control, that it was necessary to produce a moral effect upon Europe, he should like to know on what grounds the people of England could refuse to do what a great authority had expressed a few nights back, as "paying the bill." If the operations were undertaken to check a European power, he could not understand

how we could refuse to pay the cost of the expedition, and he acknowledged the justice of the late declaration of the chairman of the East-India Company, that he looked to the Government of this country to defray the expenses. But if it were true, that the people of England were to defray the cost of this war, then it followed of course, that the Income-tax was principally to be ascribed to that war, and this threw light on the announcement of the First Lord of the Treasury, that we could no longer shut our eyes to the state of Indian finance. Then he said, that if this policy had produced such disasters, it was the first duty of the House of Commons to inquire whether there was any sufficient cause for it, and if a sufficient cause for it, whether it had been carried into effect with adequate vigour and ability. Who was the author of the Affghan war, was a question often asked, never yet answered. He would endeavour to seek a solution. Every one admitted that if the siege of Herat had not taken place, Afghanistan would never have been invaded. In 1835 a new Minister quitted England to represent her Majesty in Persia, and from the moment he arrived in that country to the moment he returned, a period of fourteen months, that Minister constantly pressed on the late Government that the siege of Herat would take place, and that if it did take place, it would be a circumstance menacing to our Indian possessions. In 1836 another Minister departed from England to Persia, furnished by the noble Lord opposite with new instructions. But in these instructions not the slightest reference was made to the long impending siege of Herat. No instructions were furnished in the noble Lord's despatches to regulate the Minister, in case of the siege taking place. He was indeed once, in vague and general terms, advised to dissuade the Shah from any step of extensive conquest. He was instructed to dissuade, but never to prevent. The noble Lord however received from this second Minister continual appeals on the same subject, and warnings as to the effect of the siege. But the noble Lord was mute. At length, scared by the impending consequences, the Governor-general of India appealed to the ambassador of the Crown in Persia, who, urged by these forcible representations, took upon himself the responsibility of a step, which the noble

Lord ought to have instructed him to adopt three years antecedently. He threatened the Court of Teheran with the displeasure of England, and the Shah of Persia instantly raised the siege. He knew that it might be alleged that the noble Lord was hampered by the existence of an old treaty as regarded Persia and Afghanistan. It was quite unnecessary for him to trespass on the House in order to show that this treaty had really no hold upon us, because the noble Lord himself subsequently admitted this, approved of our ambassador acting in apparent contravention to this alleged treaty, and forwarded a despatch, which, as usual, arrived after the event, declaring that the treaty in question was not binding on this country. The noble Lord indeed took possession of part of the Persian dominions. Before sitting down there was one point which he wished to impress upon the House. For ten years and more, the people of this country had been unable to comprehend the action of our foreign policy. They had been content in their perplexity. They seemed to think that the foreign policy of the State was something which did not concern them. Yet when they heard it continually asserted that the prosperity and greatness of England mainly depended on its foreign commerce, it was strange that the political sect who sought such dogmas, should, at the same time teach the people to neglect the understanding of that policy on which their foreign markets depended. He begged the House to observe, that all the great catastrophes which had occurred in our external affairs of late years had arisen from slight circumstances. It was in this case with the noble Lord, as in similar instances; the noble Lord could not find time to prevent the siege of a town, and so he invaded a country. So it was with all his policy. It was an alternation from fatal inertness to still more terrible energy. With him, it was ever one step from collapse to convulsion. Look to the Levant. A single word from the noble Lord, and the invasion of Syria by the Egyptians, might have been prevented. That word was not spoken. A single frigate at Alexandria and the subsequent invasion of Asia Minor by the same Egyptians might have been arrested. That frigate never appeared. But at length finding that in consequence of his neglect, Con-



stantinople was likely to be garrisoned by a rival power, he suddenly takes a most violent course, involves the country in expensive armaments, disturbs our markets, prevents the signature of the treaty of commerce with France, and endangers the peace of Europe. Yet all this might have been avoided. If the noble Lord had originally fulfilled his duty, he might have prevented the invasion of Syria by a word. A word, he repeated, would have arrested that invasion. Was not this true? Was it not a perfect illustration of the course which the noble Lord had pursued in Central Asia? He had answered no despatches; he had given no instructions; he had allowed the siege of Herat to take place. The noble Lord's system appeared to be this:—"I am the Minister of a powerful country, and I can always extricate myself from any difficulties by force." Now in his (Mr. D'Israeli's) opinion, this was not the mode which should be employed by the head of our diplomacy, by one whose arts should essentially be the arts of peace. This use of a giant's strength was neither generous nor politic. This system might be for a moment successful. It might take Ghuznee, and capture Acre, but the ultimate effect of such a policy must be to embarrass our finances, and rouse against us the prejudices and passions of independent states. We commence by neglecting our duties; we terminate by violating their rights. That was the foreign policy of the noble Lord opposite. Everything was let alone until a violent interference was rendered inevitable; nothing was done which ought to be done until a catastrophe approached; and the only solution of our difficulties was a recourse to force. Thus our envoy was left at Washington twenty-two months without receiving an answer to his despatches, thus the unfortunate Captain Elliott was left in a situation of extreme difficulty at Canton without instructions. And what are the consequences? Why 20,000 of our bayonets bristling on the borders of Maine; and a disastrous and disgraceful war with China. He hoped that the right hon. Baronet at the head of the Government would not continue this career. When he heard on their accession to office, that the present Government, in respect to foreign affairs were to pursue the footsteps of their predecessors, he felt confident that he listened to a routine phrase. For the

House might rest assured that, however great might be our social progress, though we might reform our tariff and multiply our public rights; though we might secure for this country the two great blessings of civilization, political liberty and commercial freedom; still, if this system with respect to foreign states were persisted in, of neglecting our duties and violating their rights, the days of our dominion were already numbered, and the decline of this empire had already commenced.

*Sir John Hobhouse:* Mr. Speaker, after the speeches of the two hon. Gentlemen, the mover and seconder of the proposition before the House, it will naturally be expected that I should reply to the charges which have been brought against the measures which I, in conjunction with my Colleagues, have advised. In reference to one remark which has fallen from the hon. Member who spoke last, I beg leave to say that I do not consider that our Indian affairs have ever been neglected in this House, from any indifference to that great and important part of our empire. The reason why Indian affairs have not been so frequently adverted to as those of the other parts of the empire, has been from a very natural diffidence which Members have felt with respect to their knowledge of those affairs. That I believe to be the reason why such discussions have not been more frequent, and why that important subject has been left, in a greater degree than other departments, to the care of the executive Government: and, certainly, from all I can judge—though I do not wish what I am going to say should be construed to mean anything personally disrespectful to either of the hon. Members who have spoken—unless Indian affairs are more fairly dealt with, more deeply studied, and more impartially discussed than they have been by those hon. Gentlemen, I will take the liberty of saying, from some personal knowledge of those matters, that the time of the House would be worse than wasted by entering on such discussions. The hon. Gentleman the Member for Shrewsbury has referred to various parts of my conduct at the Board of Control, in a manner to show that he is totally unacquainted with the subject, and which has only the semblance of foundation in fact. For example, the hon. Member has accused me of dethroning the Rajah of Sattara, a charge almost too absurd to require contradiction—I did not dethrone

the Rajah of Sattara. The hon. Member has also accused me of believing that the Rajah of Sattara was about to bring 30,000 Portuguese from Goa to invade British India. Where the hon. Member learned that I know not; I have seen some trumpery statement in a newspaper to that effect, but there is not a word of truth in it. As President of the Board of Control I know that those charges were brought against the Rajah of Sattara, but to say that I believed them, is what the hon. Gentleman has not the slightest foundation for saying. [Mr. Hume: "Hear."] I know well enough to what the hon. Member for Montrose alludes. It is quite true that I sanctioned the acts of the Indian government upon a due review of the circumstances which led to the deposition of that prince, a measure which I am prepared, on a fitting occasion, to defend. The hon. Gentleman said I maltreated the agents of the ex-Rajah. I did no such thing. I defy the hon. Member to prove it. The charge has been made, but it is calumnious and in every respect unfounded. And if the hon. Member knows so little of what passes in London, how can he know what has passed in India? With respect to the accusation brought by the hon. Members, against the Governor-general of India, they are of the most grave and serious nature, and if the hon. Members can substantiate them—as I feel confident they cannot—they would subject that noble Lord to the greatest penalty that the Crown or the country could inflict upon him. The hon. Gentleman who introduced the motion charged the Governor-general with aggression and injustice, and with having issued a manifesto to the people of India and England which was put forward in order to mislead. I beg leave to tell the hon. Gentlemen, that is not true. [Lord J. Russell: "It is quite false."] It is quite false. The late Governor-general of India is incapable of setting his hand to a document put forward for the sake of misleading in any case, far more in a case of such great importance as that to which the hon. Gentleman alluded; he is as incapable of what I will not call the indiscretion, but the crime of acting in this way, as any public man who has ever placed his name to a paper. These are charges which no Member of Parliament should make slightly, which no Member of Parliament has a right to make, unless he can adduce such proof as would carry conviction with it to any and

every impartial mind. The document which has been so characterized, so far from attempting to mislead, stated nothing but what was true, and, I might add, understated it. The then Governor-general of India, if he had wished to make out a case—not by anything like exaggeration or amplification, but in justification of his policy—might have issued a document couched in much stronger language than that which he sent out from Simla. This I beg to say in behalf of as honourable a man as ever administered the affairs of any country, as I am confident that noble Lord is, not only from having observed his public conduct, but also from many years' private intercourse with him; and I will take the liberty of saying, let his successor be whom he may, Lord Auckland will not be surpassed in the excellence of his administration. The hon. Gentleman seemed to consider himself, besides possessing great powers of statesmanship, a great soldier also; for he said that in this expedition to Afghanistan a military fault was committed which any schoolboy at Sandhurst could have pointed out. That is certainly a very new discovery. The Duke of Wellington, in his place in the House of Lords, passed a high eulogium on the manner in which the operations were conducted, and the preparations for the expedition made, declaring that he spoke not only from public documents, but also from private sources, with the nature of which I happen to be acquainted. The House must feel, that this is not a fit time for making these charges. They come either too early or too late. If they were not made when the facts were first known in this country—when the expedition to the west of the Indus became a matter of notoriety, and when the proceedings of the first campaign were under discussion, then I say, they ought not to be made until they can be discussed more dispassionately than is likely to be the case at the present moment. I speak, I am well aware, under the greatest possible disadvantages—under the disadvantages of what I call the prejudice, which the hon. Gentleman says is so general, that there is no difference of opinion as to the policy which has led to the disasters we all deplore—and which, I may be excused for saying, that I deplore, perhaps, more than any man in this House. Sir, I well knew all the distinguished men who have recently fallen—I had watched their career with anxiety and affection—I had recommended them for the honour

with which they had been dignified, and I looked forward to the days when they would render to their country still greater services, and receive still higher reward. To me it must be a source of unceasing regret that they have died so suddenly, so prematurely—and under circumstances which prevent a due and fair consideration of their character and their merit. In looking at this question, it is of importance to call to mind how often Parliament has had an opportunity of giving an opinion upon that policy and those events which the two hon. Gentlemen attack so bitterly—and how often Parliament has either pronounced favourably, or has refrained from any condemnation. The proclamation of Lord Auckland, dated from Simla, October 1, 1838, was known in this country before the meeting of Parliament in February, 1839, and a paragraph was inserted in the Speech from the Throne, stating that a British army would be employed in active operations to the westward of the Indus. What then occurred? Was there any hostile proceeding in either House of Parliament? One of the hon. Members was then in Parliament, and that was the case also with a great number of the leading Members I have now the honour of seeing before me. The Duke of Wellington on that occasion said, he should wish to see the papers relating to the subject, and should give no opinion till they were produced. A noble Friend of mine (Lord Brougham) was rather facetious, but there was not an attempt at hostility in the speech of that or of any noble Lord. The right hon. Baronet now the First Lord of the Treasury, made use of expressions than which nothing could be more guarded, or more worthy the great position he then held, and now holds. The right hon. Baronet said,—

“I only trust that such information may be afforded by her Majesty’s Ministers, as will produce satisfaction on the public mind in this country. I will not now state my opinion with respect to the course pursued by the Governor-general of India or by her Majesty’s Government. I will not utter one word at present in condemnation of that course; but I must say, I view this proceeding with the deepest anxiety.”

But if the course thus pursued was so pernicious as it had been described by the two hon. Gentlemen, was it not surprising that no condemnation of it should have been pronounced in either House of Parliament, or, I would venture to say, in the

country? Shortly after the meeting of Parliament, on the 8th of March, 1839, I took occasion to state, in presenting certain papers to the House, that measures were in progress for augmenting the Indian army—here was an opportunity for censure—here was the time for saying, “you shall not augment your army—we disapprove of your policy—we detest your war—it is unjust—it is dangerous—we will give you no troops, no aid for an enterprise, so mad and so wicked.”—But no, not a word of objection, either then, or when I presented the other five of the six sets of Indian papers. The right hon. Baronet now the Home Secretary, did indeed give notice of a motion on the subject, which was fixed for the 2nd of April, but was postponed until after Easter, in the first instance, and was then abandoned altogether, without any reason assigned. The right hon. Baronet said the other day, that his reason was, that it appeared certain treaties had been entered into by the Indian Government, which might hamper the discussion of the question.—Be it so: I think he exercised a sound discretion in not bringing forward his threatened motion—but at any rate, the impression produced, I believe, generally, but most certainly in the mind of Lord Auckland, was, that the papers produced had made out such a case for the Indian government, and had been so far satisfactory, as to make it appear that it was not a matter of indispensable necessity that Parliament should discuss the subject. In the Queen’s Speech at the opening of the Session of 1840, the attention of Parliament was directly called to the question, by an allusion to the victorious campaign which had just concluded by the capture of Ghuznee, and the occupation of Caubool. The subject was scarcely noticed in the House of Commons, except by the mover and seconder of the address, and in the Lords it was hardly remarked upon, except by Lord Brougham, who, however, confined himself to saying he would wait for events. Not one single word of condemnation was heard in either House of Parliament on that occasion, no, nor on the opportunity which occurred immediately afterwards, when I moved the thanks of the House to the Governor-general and the Commander-in-chief, and the officers and troops employed on the expedition. This vote of thanks was seconded by the right hon. Gentleman opposite (Sir Robert Peel), and though it is quite true that he guarded

himself from giving any approval of the policy, yet it is equally true, that neither he, nor any one else, in either House of Parliament, uttered one word against it, which, if they were against it, I contend it was their bounden duty to have done. Again, not long after this, came the motion of Sir John Yarde Buller, declaring a want of confidence in Ministers, and even then one only condemnatory sentence was hazarded by our accusers in regard to the Affghan war. Lord Stanley did certainly condemn it, but, I recollect well, that he did so in consequence of a taunt from Sir George Grey, that no one had dared to assail us in that respect. The invitation was too strong to be refused by the noble Lord, and accordingly he did add that offence to the catalogue of our other sins, but not a word dropt from any other of our antagonists, by which we could collect that public opinion had declared against that portion of our policy. I say our policy. —I believe it was on that occasion a noble Lord (Lord Claude Hamilton), denied that we had any right to claim a share of the praise due to the proceedings in Affghanistan. Sir, we did not claim a share of the praise then, but we will not shrink from partaking the blame now, with the late Governor-general. For I repeat, the policy was ours no less than it was his. The despatch which I wrote in the name of the secret committee, with consent of the Cabinet, addressed to Lord Auckland, at the end of October, 1838, instructed his Lordship in Council to pursue very nearly the same course, which it afterwards appeared he had adopted without knowing our opinions. His letters to the secret committee, conveying to us his declaration of October 1st, 1838, from Simla, crossed our letter on the way, and this fact of a similarity of opinion between two parties considering the same subject from the same documents, but separated many thousand miles from each other, will, I think, protect that opinion from the character of wildness and extravagance which has been attached to it by the Gentlemen opposite. Lord Auckland and the Cabinet came, without previous concert, to the same conclusion, that a movement across the Indus was indispensable for the very safety of our Eastern Empire—and what we thought then we think now. At the opening of the Session of 1841, not one word was said against an Affghan policy, although the mover and seconder of the address in this House had alluded to the sub-

ject in terms of praise. On the granting of Lord Keane's pension, a remarkable debate took place. Was any opinion against the policy of the Affghan expedition expressed on that occasion? Just the contrary. In February, 1841, the subject of Lord Keane's annuity came twice under the consideration of the House; and on the 26th of that month the right hon. Baronet opposite (Sir R. Peel) paid a merited compliment to the noble Lord. The right hon. Baronet said,—

“In viewing the services of Lord Keane, they ought not to consider merely the taking of a particular fortress, but to bear in mind also the important consequences which attached to and followed his success. . . . For himself, had Lord Keane performed no other services than those he performed in India, he should have been prepared to agree to this reward.”

It was in this manner that the right hon. Gentleman manfully came forward to speak of those services. He would not misrepresent the right hon. Gentleman by saying that he stated any thing with respect to the policy of the war; but he did talk, and justly, of the great consequences and important results of this campaign; and he did not hint—for how could he?—at the possibility of disaster. No suspicion of such a nature appeared to have entered his mind; but a pleasing struggle afterwards took place as to who should pay the money. The right hon. Gentleman thought the East India Company ought to contend for the honour of paying one-half; and, then, what did the hon. Member for Beverley observe?—

“Was there any man in this House,” said that hon. Member, “who would say that the capture of Ghuznee and the campaign of Affghanistan were purely Indian? What! had they no reference to, and no bearing upon, European policy? Had they not been notoriously mixed up with our Persian relations, and our apprehensions of Russian intrigue and aggression? With these considerations present to his mind, he contended that instead of the East India Company being called upon to pay this pension, they might fairly call upon this House to defray half the expenses of the campaign in Affghanistan.”

Here the challenge was thrown down, not by me, (I was at that time a Minister), but by an hon. East India director, who gave his opinion as to the campaign, in so far as it affected our Persian and Russian relations; and no man then got up in the House and said that the war was

unjust, dangerous, and impolitic, and that it might be ruinous to our Indian possessions. No man said this, because, as I will take the liberty of saying, no man believed it. No man, when the hon. Member for Beverley (Mr. Hogg) made that speech, could conceive in his own mind, however prophetic it might be, the probability, not to say the possibility, of those reverses which have since taken place. It was also a very remarkable circumstance that this approving opinion, that these observations, which were far from implying anything like condemnation, fell from an hon. Gentleman whose authority upon this subject was the less equivocal, because he happens to be the very gentleman who, when the Chinese expedition was attempted to be censured by the right hon. Baronet (Sir J. Graham), seconded the motion. The hon. Gentleman (Mr. Hogg) did think that the Chinese expedition called for a condemnatory opinion from Parliament: he did think, although that work was begun, it was one with which Parliament ought to interfere for the purpose of stopping; and in a speech of great ability and detail, he seconded the motion of the right hon. Baronet (Sir J. Graham). What, then, was I to infer from the course taken by the hon. Gentleman with reference to these two expeditions? I was bound to conclude that the hon. Gentleman looked at them with different eyes. Against one the hon. Gentleman uttered not one word of condemnation, while in respect to the other he proposed a vote of censure against the Government. But there was another more appropriate occasion for attacking our Afghan policy during the last year. The right hon. Baronet made his "want of confidence" motion, and gained that victory which dissolved the Parliament and overturned the Government. But to the best of my recollection, neither he nor any one of his friends made our Afghan war an article of an impeachment, although Lord John Russell did allude to our successes in that part of the world as a matter for just exultation. I have done with Parliament; but now let me read the testimony of a body of men, who are entitled to be listened to on this occasion, as in old times they were much listened to—I allude to the Courts of Directors and Proprietors of the East India Company. The Court of Directors, on December the 11th, 1839, and the Court of Proprietors, on Decem-

ber the 18th, 1839, resolved as follows, *nemine contradicente*:—

"Resolved, *nemine contradicente*, that this Court, taking into consideration the despatches relative to the late brilliant successes in the expedition to Afghanistan, the thanks of this Court be given to the right hon. Lord Auckland, Governor-general, for the sagacity and promptitude with which he planned that expedition, and for the zeal and vigour which he displayed in preparing the troops to take the field, to which may be attributed, in a great measure, the rapid and signal triumphs with which the British arms have been crowned by the result of the military operations in Afghanistan."

Where, then, is this schoolboy at Sandhurst who could point out the faults of this expedition? The Court of Directors were men who knew something of the mode in which an army ought to be prepared for the field and an expedition conducted; and such a document as I have read in praise of Lord Auckland's sagacity, both politically and militarily, would not have been agreed to *nemine contradicente* by the Court of Directors, if there were any reality in the discovery which the hon. Gentlemen opposite have made this evening, viz. that the expedition was prepared in such a manner that even a cadet at Sandhurst would have been ashamed of it. This is *sagesse après coup*; it is wisdom come a little too late, and the hon. Gentleman ought to have been more cautious in the application of such language, not only to principles but to persons, not only to deeds but to the men who had been concerned in them. Now let me ask what has occasioned this change of opinion in this House and in the country, supposing that a change has taken place? But I trust no change has taken place among the great majority of persons either in this House or the country; for I must be permitted to say that if the policy was questionable, the success which occurred did not alter the nature of that policy. If it was wrong to move a large body of troops into Afghanistan (not leaving naked, as the hon. Gentleman opposite has, in ignorance of the fact, stated, other parts of India which ought to have been in a state of defence, for reinforcements were sent to every part of the frontier where they were required), if there was anything wrong in this proceeding, it was not made better by the successes of the campaign, by the fall of Ghuznee and the capture of Cabul; and it was the duty of those who looked far forward to have

warned the country against the consequences of this expedition. The hon. Gentleman said that I was excited by the brilliancy of the successes which had taken place. That is not the fact—the hon. Gentleman has never been accurate in one of his statements. I stated the circumstances calmly to the House, and no one stood forward to warn the House of disastrous consequences. If I was excited—if I showed any intemperate joy on that occasion, why did not the hon. Gentleman notice it at the time? why keep his censure back for two years and more? I confess a great disaster has occurred, and I need not say how deeply I deplore it—but it is a military defeat—nothing more. It has nothing to do with the policy of the proceeding, unless it can be proved to be the inevitable consequence of our position in Afghanistan, which I am sure it cannot be proved. I deny the inference which the hon. Gentleman seems to have drawn that the disaster is not recoverable, and that it will shake our Indian empire to its foundation. I deny most positively that any such result or anything like the shadow of such dire events is likely to come over us; and whilst I am now addressing you, I indulge strong hopes that the calamity is in great part repaired. The hon. Gentleman opposite has very justly remarked that this is not the first great disaster recorded in Indian history, and he has alluded to Colonel Monson's retreat,—a reverse which, at the time, was thought of a most serious nature, and filled the minds of men with consternation. But what was the language of Lord Wellesley when he wrote to Lord Lake on the subject? Did he make use of the language of despair, or of obloquy against the parties concerned in that affair? No! He said:—

"Grievous and disastrous as the events are, the extent of the calamity does not exceed my expectation. From the first hour of Colonel Monson's retreat I have always augured the ruin of that detachment. I fear my poor friend Monson is gone. Whatever may be his fate, or whatever the result of his misfortune to my own fame, I will endeavour to shield his character from obloquy; nor will I attempt the mean purpose of sacrificing his reputation to save mine. His former services and his zeal entitle him to indulgence, and, however I may lament or suffer from his errors, I will not reproach his memory if he be lost, nor his character if he survive. I admit no doubt in my mind, of your complete and early triumph; but it is necessary on all great occasions to

look to the utmost possible, or rather imaginable degree of misfortune distinctly in front."

The hon. Gentleman has alluded to another defeat, of which he might have talked in more pointed terms, namely, our successive failures before Bhurtpore. Lord Lake failed three times before Bhurtpore, and General Monson once. There fell in the attacks, one lieut.-colonel, two majors, twenty captains, one captain-lieutenant, forty-five lieutenants, one adjutant, one cornet, two ensigns, and 2,205 non-commissioned officers and privates. Lord Lake, in answer to a communication from Lord Wellesley, informing him that a peerage had been conferred on him, said that those disasters had taken off much of the pleasure of his newly obtained honours. There was then in India one of the greatest men, perhaps, that country has ever produced; and with respect to these defeats before Bhurtpore he wrote as follows:—

"I admire the gallantry and perseverance with which both the Europeans and Bengal army have so often returned to the assault of Bhurtpore; even if the report of the Europeans being dispirited is well founded, it is not to be wondered at, for I do not believe that any troops in Europe would have preserved their spirit, under so many discouraging repulses as they have sustained. Their despondency will soon vanish. I hope that the general will persevere in the siege and if he is deficient in military stores, convert it into a blockade until he gets a supply. I see nothing gloomy in your situation, but, on the contrary, everything that ought to inspire hope and confidence. The repulses at Bhurtpore give me a higher opinion of the Bengal army than all their victories. We cannot expect that we are to carry on war without meeting with any disaster, and that it should be quite a holiday work in which everything is to go on as we wish."

The writer of this letter was no less a person than Sir Thomas Munro; and I may add that when at last Bhurtpore was subdued, many years afterwards, 20,000 men, and more than 100 pieces of cannon were employed against it, but it did fall, and it is now only a name in the map of India. Then what was the case with respect to the Burmese war. Was that attended with uniform success? Did no loss, no great loss of men, and of treasure, occur during the two years of that struggle? Why both the war, and the peace that followed it, were much complained of at the time, and left a debt of 13,000,000*l.* to the Indian government. Let us advert, for a moment, to the

Nepal war. It lasted nearly two years, beginning in August 1814, and ending in March 1816. The death of the gallant Gillespie, the untimely prudence of General Martindale, the mistakes of General Wood, the misconduct of General Marley, the latter of whom was censured in general orders by the Commander-in-Chief, are matters now recorded in the common text book of Indian history. There was a complete failure in the first campaign—and it was not until the close of the second year that peace was obtained—and a more unsatisfactory work than that peace is hard to be conceived. The time, as it appears to me, must come, when we shall have to complete that unfinished task, with perils and at an expense much greater than would have been incurred, had we accomplished our whole design by a continuance of the contest, and driven back the Goorkhas to their native mountains. And now, Sir, having dwelt upon topics, either introduced by the two Gentlemen opposite, or incidental to the discussion, I would wish to come to the main point in question—I mean the policy of the expedition into Afghanistan. That policy has been arraigned by the two hon. Gentlemen, as it has been arraigned in other quarters, with little or no attention to the full and comprehensive view which ought to be taken of all the facts on which the Government of India and the Cabinet at home were called upon to decide. The hon. Gentlemen have picked out a bit here, and a bit there, from documents to which they are pleased to attach credit—but let these documents be ever so authentic, I say, that is not the way to judge of any great political movement. The way is to regard the question in all its bearings, with a view to all the facts which are positively known, and all the consequences which may fairly be counted upon. For my own part, I repeat, that I consider the papers laid before Parliament in 1839, do afford a full and fair view of, and a complete justification for, the expedition to the westward of the Indus. I say, Sir, that the letters of Lord Auckland to the secret committee, dated from Simla, on the 22nd of May, 1838, and on the 13th of August of that year, with their inclosures, and his declaration of the 1st of October, to say nothing of the other documents presented to Parliament, afford a full exposition of Lord Auck-

land's policy, and account satisfactorily for his undertaking this enterprise. The real question which Lord Auckland and the Cabinet at home had to consider, was, whether the intermediate country between the confines of Persia and the Indus, or rather our own frontier on the Sutledge, was to be in possession of a friendly power, or one manifestly hostile, that was the real question. If this region, far more important by its position than its resources, could have been in hands perfectly neutral, then, indeed, no man could have thought of occupying territories so far from our frontiers, and the heart of our own empire. But political events of recent occurrence, had decided, that the neutrality of these countries was out of the question. It was manifest, that Afghanistan must inevitably be in possession of a power, either friendly to us, and prepared to act with us, or the instruments of mischief and alarm to our Indian empire. With that alternative presented to the Governor-general and to the British Cabinet, I saw no choice left for Lord Auckland—no choice left for us. The hon. Gentleman asked, whether Lord Auckland had undertaken the war after full consideration, and on just grounds—I answer, after the fullest consideration; as for the justice of the grounds, I say, yes, also; but that, of course, is the matter at issue between us, and on which the House and the country will have to decide. The hon. Gentleman has asked, whether proper authorities were consulted, I beg to answer that question in the affirmative, proper authorities were consulted. With regard to Sir Henry Fane, the then Commander-in-Chief, the hon. Gentleman has read part of the document. [Mr. H. J. Baillie had read no document on the point.] The hon. Gentleman, however, said he had reason to believe, that Sir Henry Fane had recorded an opinion decidedly adverse to the Afghan expedition. This might have been so: indeed I have heard it was so; but supposing it to have been the case, the question being one of state policy, it did not follow, that one authority alone was to be consulted or followed. The truth, however, is, that the retirement of Sir Henry Fane from the command of the army of the Indus, had nothing whatever to do, so far as I am acquainted with the facts, with any disapprobation of the policy of the war. What I understand to be

the cause of his retirement was this, that after the news of the raising of the siege of Herat, the intended army was so reduced in number, and the importance of the undertaking apparently so diminished, that the command was no longer considered adequate for a general of his rank and character. [It was so stated in general orders, dated Camp Ferozpoore, 30th November, 1838, and Lord Auckland added, "The Governor-general has on this occasion to record his grateful sense of the readiness with which his excellency has been, as he is yet, prepared, to postpone all personal consideration to the service of his country."] All the information I recollect to have had on the subject is to that effect; as to any recorded opinion given officially against the expedition itself, I think I may safely say I never saw it. So much for Sir Henry Fane's retirement from the command of the army of the Indus. [*A Member*: He was in ill health.] Yes, he was in ill health, and it may be remembered, died not very long afterwards. But, to return to the policy and the causes of the expedition. Gentlemen are aware, that in 1835, a complimentary mission was sent by my noble Friend (Lord Palmerston), on the part of his late Majesty, to congratulate the Schah of Persia on his accession to the throne, an event which had been mainly brought about by the assistance of the British envoy, aided, no doubt, by Russian influence; Mr. Ellis was charged with that mission. The hon. Gentleman is aware, that that Gentleman is not connected politically, certainly not at the present time, nor was at that time, with the late Government. Shortly after Mr. Ellis's arrival, he wrote to my noble Friend near me an account of an interview which he had had with two of the ministers of the Schah of Persia, in consequence of his having been instructed by my noble Friend to inform those ministers and the Schah that we could not encourage the Schah in his pretensions to extend his dominions beyond his own confines; that the Affghans were an independent state—that we were, to a certain extent, as the hon. Gentleman very justly stated, the guarantees of their independence—and that we could not allow, without a remonstrance at least, the Persian monarch to make advances to the eastward. At that interview, strange to say, the two ministers of Persia held language that I will now read to the House.

It was to this effect, and will be found in the papers presented to Parliament—the letter is dated the 30th of December, 1835:—

"The two Ministers, the one being Prime Minister of Persia, and the other the Minister for Foreign Affairs, protested against considering the Affghans as a government, or a consolidated state with whom relations of peace or equality were to be maintained; they declared, that a large portion of Afghanistan belonged to the Schah of Persia, and that he was at liberty to decide how he would deal with the Affghans, they being his own subjects. Wishing to ascertain the exact pretensions of the Persian monarch in Afghanistan, rather than discuss the question of right, I inquired how far they considered the dominions of the Schah to extend; their reply was to Ghuznee. On a former occasion, the Hajee had mentioned the occupation of Herat as a proximate enterprise, and that of Candahar, as one not far distant."

That was given in Mr. Ellis's letter of the 30th of December, 1835, and commenting upon it in his letter of February, 1836, he wrote thus to my noble Friend:—

"I feel quite assured that the British Government cannot permit the extension of the Persian monarchy in the direction of Afghanistan, with a due regard to the tranquillity of India."

He had not the same enlightened views as the hon. Gentleman.

"That extension will at once bring Russian influence to the very threshold of our Empire, and as Persia will not or dare not, place herself in a condition of close alliance with Great Britain, our policy must be to consider her as no longer an outwork for the defence of India, but as the first parallel from which the attack may be commenced or threatened."

Could there be a more decided opinion than that of the necessity of a movement to compel the Schah of Persia to understand that the British Government would not submit to his movement eastward; and that they considered that movement as pregnant with the worst consequences to the safety and tranquillity of our Indian Empire? But did we make any movement until every effort of the most friendly kind had been made on the part of the Ministers from England to the Court of Persia to persuade her to give up her pretensions, and to convince her that she had mistaken her best interests in having those projects in view? We did not. I must take the liberty of saying, that I have not invited this discussion, but as it has been embarked in, I am compelled to state what made Lord Auckland and the British



Government most seriously regard these advances of Persia eastward. It was not Persia alone. No; the hon. Gentleman is right in that opinion. The unassisted efforts of Persia, perhaps, might have been resisted by the unassisted arms of Afghanistan. But Persia did not stand alone. Unfortunately from the first elevation of the young Schah of Persia, that young sovereign seems to have been inflamed by passion for conquest, quite incompatible, I think, with his best interests, and the Schah has since discovered it. That passion was inflamed by advice tendered to him in a fatal hour by some to whom he looked as his best friends, because they flattered his worst passions, I am sorry to say that that advice came from the Russian minister at the court of Persia. It came from the representative of that most powerful state, who had hitherto acted in the most friendly way with the British Minister, but who gave advice to the Schah totally contrary to the advice that was tendered by the British Minister, and carried his advice afterwards into effect by the intervention which I must more particularly allude to hereafter—an intervention on the part of the representative of the cabinet of St. Petersburg, which was totally incompatible—I say, was totally incompatible with the very safety of India. Count Simonich advised the advance upon Herat. Hon. Gentleman are now so familiar with the importance of that city and state, from its position in Central Asia, that it is unnecessary for me to dwell upon it. This, however, I must state, that the best authorities had laid it down as an indisputable fact that that city and its immediate dependencies are the most important of all the cities and states of Central Asia, and that the master of Herat is in a position, both with reference to Persia and to the Afghan states, to hold the balance, if he has any considerable power, between the parties who might contend for empire much further and with much greater proximity to India. But Count Simonich did not confine himself to giving advice. At the very time that the English Minister, in consequence of instruction from Lord Palmerston, retired, after fruitless endeavours to prevail upon the Schah to relinquish his pretensions, Count Simonich remained in the neighbourhood, and actually, it might be said, superintended the siege, and an officer of distinction, who had been

in the Russian service, assisted at the siege, and I think, I recollect, was killed there. But it did not stop there. The intervention of Russia did not stop with the mere appearance of the Russian ambassador at the siege of Herat. Forsooth, a treaty was entered into—it will be found in the papers before the House—by which, in the most summary way, the lawful sovereign of Herat (the real representative of the ancient dynasty) was to be dethroned, and his dominions were given to one of the princes of Candahar, a brother of Dost Mahomed. By that treaty an entire change was to occur in the whole of that important part of Central Asia; and who does the House of Commons think was the guarantee of that treaty? No less a person than the Russian ambassador, and I hold a proof of it in my hand. Was the Governor-general of India, or the Minister at home charged with the Indian department, or my noble Friend, the then Secretary of State for Foreign Affairs, or the Cabinet at large, to permit such a state of things for a moment? Was Lord Auckland to look on tamely when this transaction was taking place, I might say, at the very gates of India? But there was a person who has gained an unhappy notoriety by the publication of these papers, deputed also, I am sorry to say, by the Russian ambassador—a renegade Pole he was said to have been—a Captain Vicovitch, whose exploits, no doubt, hon. Members have read of in this history. That individual was deputed by Count Simonich to go—whither? To the ex-chief of Cabul—and he went there accordingly. But, not contented with that, there was to be another mission, a sort of branch mission to the Ameers of Scinde, and another to the court of Lahore; and was Lord Auckland to consider those things as nothing but a trumpery effort made by the Schah of Persia, which the very shadow of the British bayonet from beyond the Sutledge would at once put down? No! Lord Auckland considered, with the Cabinet at home, that the time was come for resistance. My noble Friend (Lord Palmerston) directed a remonstrance to be made to Count Nesselrode, and an answer was given to it. The hon. Gentleman said, that my noble Friend, in his reply, considered the answer satisfactory; that was not the word. My noble Friend said he considered the assurances

were satisfactory, and so they were, for they were carried into effect. For what occurred? Count Simonich was recalled; and, moreover, the unhappy man, Captain Vicovitch, who was a tool in these intrigues, was also recalled, and has been heard of no more. The rumour was, that he put an end to his own existence; but he has been heard of no more. An effect, however, a very serious and dangerous effect, had been produced by these intrigues. It did not signify to those barbarous states whether or not that ambassador, Count Simonich, or that envoy, Captain Vicovitch, had exceeded their orders, or not, as Count Nesselrode said they had. What did Dost Mahomed know of that? How could he judge? There was a letter said to be from the Emperor of Russia, accompanied by presents, by which, as is well known, all matters of importance are transacted in those countries, in the most friendly terms, and at the same time he received another letter from Count Simonich most directly opening a correspondence with the Court of Cabul. What, then, was the natural conclusion of Lord Auckland? The natural conclusion was, that the time so often foretold was at last approaching, and that the mighty power of the North was now at last menacing our eastern dominions. Sir, we were called upon to act in regard to Russia as we found her at the time. Hon. Gentlemen need not be reminded in how few years her vast authority has been pushed to the south-eastward not less than 400 miles; nor that she has a sea, almost her own, at no great distance from the regions of which we are now speaking. Was it the duty of the Governor-general of India to treat that as a mere childish manœuvre, that a mere explanation was sufficient? Was it for my noble Friend, or the Governor-general, or the Cabinet, to treat them as things to be trifled with? No. The time was come when they were called upon to show the Shah of Persia that the performances of England were at least as valid as the promises of Russia. They did show that, and the effect was seen at once. Reference has been made by the hon. Gentleman to Sir A. Burnes. There is no man who ought to speak of Sir A. Burnes with greater knowledge of his character than myself. I had an intimate correspondence with him through other parties, and I consider him as an ornament

to British India, and in many respects, an irreparable loss. But suppose he had given an opinion contrary to that upon which Lord Auckland afterwards acted. Was that a charge against Lord Auckland? Was the Governor-general to act uniformly upon all that was told him by one British agent? Was he not to consider others too? And was he not to put together what he considered, upon the whole, to be the best of the opinions that were given to him, and to act upon them? It has been said that all the documents were not laid upon the Table, and that parts had been omitted. That is true: but there has been no garbling of the papers. Various parts were withheld, and very reasonably so; and if I were still the Minister, and those papers were called for, I should do the like again. To have published all that Sir A. Burnes said, would have answered no good purpose. The only object required to be shewn was, what was the cause of the war. I do not mean to say that Sir A. Burnes did not maintain opinions different from Lord Auckland; and, as I stated the other night, the late Government published three of Sir A. Burnes's letters, in which he gave a decided opinion in preference of Dost Mahomed against the pretensions of any other person; we had no objection, nor did we make any attempt to conceal Sir A. Burnes's opinion. I am, however, happy to say, that the charge of unfairly garbling the documents in our offices, merely to make out our own case, has been completely disposed of by the now President of the Board of Control, who, having access to all the papers in question, has, with a manliness and candour, which might well be counted upon from him, declared the other day, in the House of Lords, that we are not in any way liable to that imputation. I proceed now, in reference to the opinions of Sir A. Burnes, to remark that the choice of the chief with whom we were to co-operate in Afghanistan, although a matter of much importance, was not the most important question which Lord Auckland was called upon to decide. No, the real question was, whether the state of affairs in the regions between Persia and India was such as to require direct British intervention. Now, upon this point, hear the opinion of Sir A. Burnes. In a letter, dated the 23rd of December, 1837, Sir A. Burnes said:—

"Having thus laid before your Lordship the strong demonstrations on the part of Russia to interest herself in the affairs of this country, it will not, I feel satisfied, be presumptuous to state my most deliberate conviction, that much more vigorous proceedings than the Government may wish or contemplate are necessary to counteract Russian or Persian intrigues in this quarter."

And on the 5th of March, 1838, in a letter that is also published, he said, in warning the Government of their proceedings:—

"In the beginning of these proceedings it was the expressed wish of his Lordship, that the differences between the Sikhs and the Affghans should be healed without an ostensible intervention on our part. I had little hope, from the excitement that reigns in this country, that this plan would be feasible. After nearly six months residence in this city I am constrained to pronounce it perfectly hopeless."

If Lord Auckland had any great reliance on Sir A. Burnes, and he had the greatest, the extracts I have just read from the letters of Sir A. Burnes, as far as his opinion was regarded, would be a complete justification of the movement. I am not treating of the choice of a chief, but of the enterprise itself. I am now going to quote a letter which was not in the published papers, but which was completely confirmatory of those opinions of Sir A. Burnes. It was a letter sent to me by Lord Auckland which Sir A. Burnes, after his retirement from Cabul, wrote to Sir W. McNaughten. It was in these terms:—

"June 3, 1838.

"It is clear that the British Government cannot, with any credit or justice to itself, permit the present state of affairs at Cabul to continue. The counteraction applied, must, however extend beyond Dost Mahomed Khan, and to both Persia and Russia. A demand of explanation from the Cabinet of St. Petersburg would, I conceive, be met by an evasive answer, and gain for us no end; besides, the policy of Russia is now fairly developed, and requires no explanation, for it explains itself, since that government is clearly resolved upon using the influence she possesses in Persia (which is as great there as what the British command in India) to extend her power eastward. It had better, therefore, be assumed at once, that such are her plans, and remonstrate accordingly."

A remonstrance was made accordingly, as I have stated, by my noble Friend.

"If we can do but little with Russia, the case is widely different with Persia. She

should at once be warned off Afghanistan, and our continuance of an alliance with her should depend upon her compliance. I believe, that a letter from the Governor-general of India sent to the Schah of Persia at Herat would gain our end."

And this was also tried.

"And, this effected, there is nothing to fear from the proceedings of Dost Mahomed Khan, or any other of the Affghan chiefs. If this be left undone, they will succumb to Persia and Russia, and become the instruments for whatever those powers desire. I, therefore, distinctly state, that the evil lies beyond Affghanistan itself, and must be dealt with accordingly. If it is the object of Government to destroy the power of the present chief of Cabul, it may be effected by the agency of his brother, Sultan Mahomed Khan, or of Soojahool-Moolk; but to insure complete success to the plan, the British Government must appear directly in it; that is, it must not be left to the Sikhs themselves.

"Of Sultan Mahomed Khan, the first instrument at command, you will remember that his brother, Dost Mahomed, plainly confessed his dread of him if guided by Sikh gold, and with such aid the ruler of Cabul may be readily destroyed; but Sultan Mahomed has not the ability to rule Cabul—he is a very good man, but incapable of acting for himself; and, though fit as an instrument in getting rid of a present evil, he would still leave affairs as unsettled as ever when fixed in Cabul, and he is consequently a very questionable agent to be used at all.

"As for Soojahool-Moolk personally, the British Government have only to send him to Peshawur with an agent and two of his own regiments as an honorary escort, and an avowal to the Affghans that we have taken up his cause, to ensure his being fixed for ever on his throne. The present time is perhaps better than any previous to it, for the Affghans as a nation detest Persia, and Dost Mahomed having gone over to the Court of Teheran, though he believes it to be from dire necessity, converts many a doubting Affghan into an enemy."

So much for the advice tendered by Sir Alexander Burnes to Lord Auckland, who, when he transmitted this extract of his letter to me, remarked,—

"He is a good witness on this occasion, for his inclination is in favour, notwithstanding all that has passed, of Dost Mahomed."

I ask the House could any thing possibly be more fair, more candid, than Lord Auckland's mode of dealing with the authority of Sir Alexander Burnes, when he sent me these opinions?—and I would also ask, whether what I have read is not quite conclusive as to the opinions of Sir Alexander Burnes in favour of direct in-

tervention, and more than that, of the facility with which Schah Soojah would be replaced on the throne of Cabool—and of his permanence when seated thereon? There is no mistaking his words—two of our regiments as an honorary escort, a British agent, and an avowal to the Affghans that we had taken up his cause, would ensure his being fixed for ever on his throne—and this is the authority which Lord Auckland is charged with having disregarded. In fact, Lord Auckland sent for Sir Alexander Burnes to Simla, consulted him—and afterwards employed him in carrying out some of the most difficult and delicate preparations for the ensuing enterprise. I now come to another authority, which, it seems, the hon. Gentleman has much relied upon, and which, to my infinite surprise, he has quoted as unfavourable to the policy and plans of Lord Auckland—I mean Mr. Masson. [Mr. *Baillie* had merely referred to printed papers.] Exactly so, but in looking at the printed papers the hon. Gentleman has somehow or the other overlooked the opinion of this very Mr. Masson, as quoted by Captain, now Sir Claude Wade, in a letter dated the 1st of January, 1838, from Loodhiana. In this letter, Sir Claude Wade endeavoured to impress upon Lord Auckland that Schah Soojah ought to be preferred to Dost Mahomed, and stated why he differed from Sir Alexander Burnes on that point. Gentlemen would do well to peruse that important document, the facts stated in which, and the inferences drawn from them, are directly at variance with everything said by the hon. Gentlemen opposite. In one place, Sir Claude Wade says,—

“My own sources of information which have been repeatedly authenticated, both by Natives and Europeans, who have visited Cabool, lead me to believe, that the authority of the Ameer, (Dost Mahomed) is by no means popular with his subjects, and many instances in confirmation of the fact might be adduced from the reports of Mr. Masson, even when that individual has been willing to render every justice to Dost Mahomed Khan’s abilities.”

In another place of the same letter, Sir Claude Wade says :—

“At a subsequent period when describing the retreat of Dost Mahomed from his fruitless enterprise against the Sikhs in 1835, and the discontent which then prevailed at Cabool, Mr. Masson made the following re-

marks :—The failure of Schah Soojah is now most sincerely lamented. I myself rejoiced at it at the time, but the course of events seems to prove, that his success would have been felicitous to these countries. The wishes of all classes turn to his restoration.”

Sir Claude Wade continues :—

“After the late encounter with the Sikhs, the disputes of parties ran so high, that had the Schah (Soojah) appeared in the country, he might, I am informed, have become master of Cabool and Candahar in two months ; and Dost Mahomed Khan is not to be trusted ; an opinion for which I have not only the authority of Mr. Masson, but of his countrymen who knew him best.”

Mr. Masson says :—

“I must confess, I am not very sanguine as to any very favourable result from negotiations with the Barukzyes, (that is Dost Mahomed and his brothers.) They are indeed their own enemies ; but their eternal and unholy dissensions and enmities, have brought them to be considered as pests to the country, and the likelihood is, that affairs will become worse not better. The British Government could employ interference without offending half a dozen individuals. Schah Soojah, under their auspices, would not even encounter opposition ; and the Ameer and his friends, if he have any, must yield to his terms, or become fugitives. No slight advantage, were Schah Soojah at the head of the Government here, would be, that from his residence amongst Europeans, he would view their intercourse in these countries without jealousy, which cannot be expected from the present rulers, but after a long period, and until better acquaintance may remove their distrust.”

So says Mr. Masson, as quoted by Sir Claude Wade, who sums up his advice by these words :—

“I submit my opinions with every deference to the wisdom of his Lordship’s decision ; but it occurs to me, that less violence would be done to the prejudices of the people, and to the safety and well being of our relations with other powers, by facilitating the restoration of Schah Soojah, than by forcing the Affghans to submit to the sovereignty of the Ameer.”

Yet, with these opinions of Mr. Masson’s, with these opinions of Sir Claude Wade’s, as set forth in a Parliamentary document, the hon. Gentleman has had the courage to quote Mr. Masson, as unfavourable to Lord Auckland’s proceedings, and has had the still greater boldness, to say, that not a single authority could be found for the course which his Lordship adopted in restoring Schah Soojah to the throne of Cabool. Sir, I know

that this letter of Sir Claude Wade was before Lord Auckland when he resolved upon the expedition, and that it was one of the authorities which determined his course of action. Lord Auckland had the opinions of other trustworthy men, such as the late Dr. Lord, Lieutenant Wood, and Major Todd, which I would quote, were I not afraid of wearying the House, all to the same effect. They are contained in the letter from the Governor-general to the Secret Committee of the 13th of August, 1837. I will now advert to the view taken by Lord Auckland of the circumstances thus presented to his notice by his confidential agents. Much has been said of the precipitancy, the blind precipitancy with which the late Governor-general rushed, as it were headlong, into this perilous, this gigantic enterprise. But the truth is, that Lord Auckland, maturely considered all the perils, and the whole magnitude of the undertaking, and deliberately weighing the probable results of it, entered upon it with a due sense of the awful responsibility incurred by it. He took a calm and cautious view of events as they arose, and did not suffer himself to be frightened by the first appearance of any danger, however novel and alarming. Even the Russian mission to the Afghan chiefs did not, in the first instance, induce him to change his course. In his letter, of the 20th of January, 1838, given in the Parliamentary papers, we find him saying of this mission, "I attach but little importance to it." But when the intrigues of the parties employed began to develop themselves, and were forced upon his attention by Sir Alexander Burnes, he was compelled to view that new interference in a very different light. In his minute of the 12th of May, 1838, inclosed in the letter of the 22nd of May to the secret committee, we find him writing thus:—

"Circumstances have occurred which may materially modify my views; the Russian agents have now put themselves prominently forward in aid of the designs of Persia, and we could scarcely with prudence, allow this new and more formidable element of disorder and intrigue to be established without opposition on our frontiers. The extraordinary excitement which has been produced in the public mind, as well in the Punjaub as in Afghanistan, in consequence of the approach of the Persian power, is also a signal to us of the mischief which might arise, were that

power to acquire a settled authority or influence over all the Afghan countries."

As the danger increased, and after Lord Auckland had come to the conclusion that it could only be met by direct intervention, he wrote thus to the secret committee on the 13th of August, 1838.

"Of the justice of the course about to be pursued, there cannot exist a reasonable doubt."

His Lordship did not anticipate that any man, at a future time, would use the language held by the Gentlemen opposite this night. He little thought any one would be bold enough to affirm the directly contrary proposition and declare that "of the injustice of the proceeding there could be no doubt." No, Lord Auckland with all his knowledge of the facts, with the pressure of all the circumstances immediately acting upon his mind, with the advice of every agent and councillor within his reach, with a full sense of his personal and official responsibility, Lord Auckland I say, declared,

"Of the justice of the course about to be pursued, there cannot be a reasonable doubt. We owe it to our own safety, to assist the lawful sovereign of Afghanistan, in the recovery of his throne. The welfare of our possessions in the East, requires that we should in the present crisis of our affairs, have a decidedly friendly power on our frontiers, and that we should have an ally who is interested in resisting aggression, and establishing tranquillity in place of a chief seeking to identify himself with those whose schemes of aggrandisement and conquest are not to be disguised."

What I have read will be found in the letter of Lord Auckland, to the secret committee, contained in the papers presented to Parliament, but I will now take the liberty of reading to the House extracts from two private letters addressed by Lord Auckland to myself, which strongly confirm all I have said in regard to his opinions and feelings at this crisis. Writing to me from Simla, on the 12th of July, 1838, he says,

"I give you the copy of a letter, which has just reached me from Major Todd. I gather from it that all I am doing or preparing to do is well justified by the avowed policy of the Persian Court, and by the hostile proceedings of the Russian agents—and you may assume it for next to certain that I shall go onwards, with many a deep feeling of regret, that I am not allowed to prosecute measures of peace

and of peaceful improvement; but with a perfect conviction, that it is only by a bold front, and by strong exertions, that the aggressions and dangers with which we are threatened, can be warded off."

Again, on the 23rd of August, 1838, Lord Auckland thus addressed me,

"The siege of Herat, has much occupied the minds of the public in India, and speculations upon the progress of the kings of Iran, and the Rooswalla, [Persia and Russia], have given life to the news-writers in every court, and our shrewdest, and calmest observers, Skinner, Cubbon, and Sutherland, in Hansi, Mysore, and Gwalior, have concurred in describing the fever of restlessness, as beyond every thing which for many years they had witnessed. From the military strength of the Persians, there has been actually nothing to fear, but religion and circumstance, and historical associations, and the character of *ignotum* and *magnificum*, which is attached to the Russian name, have been at work on men's minds, and it may be a fatal mistake if the Persians and Russians were allowed to plant their standard or fix their influence in advance."

The hon. Gentlemen opposite have affected to despise the influence of these rumours on the native states—indeed, they have appeared to attach but little weight to the native states themselves. Sir, these Gentlemen may have some acquaintance with the subjects, but surely not more than Lord Auckland, and not more than the distinguished Indian servants, on whose authority he relied, and who did not think it beneath their dignity to pay attention to, and to report these rumours to the head of their government. I cannot persuade myself that Lord Auckland would have acted in accordance either with wisdom or duty if he had followed the course which the Gentlemen opposite would have advised—if he had disregarded all these symptoms of feverish restlessness and despised them, to use a familiar phrase, as mere matter of moonshine, incapable of affecting an empire fixed, so the hon. Gentleman says, on a foundation which neither foreign aggression nor domestic treason can endanger or destroy. If this indeed were true—if our dominion in India were past all the perils, which, I have always supposed, must more or less environ every great colony at a vast distance from the parent state—than, indeed the alarms of Lord Auckland and of his advisers, would have been without cause and without excuse. But I believe every man of sober judgment will think Lord Auckland fully justified in taking the

ordinary and opposite view. And I hope that, so far as authorities have any weight, I have tolerably well settled the question of intervention, and have established the necessity for Lord Auckland following the advice given to him, and "warning Persia off Afghanistan," and saying to that power, "So far you shall go, but no farther." "Your claims on Herat—your pretensions to Ghuznee—founded on the old conquests of Nadir Schah, cannot, will not, be listened to for a moment." Suppose the question of intervention to be decided, I cannot help thinking that the mass of authority, as well as subsequent experience, justified the choice of the chief in whose name we conducted our enterprise. It would be unjust to mix up the late misfortunes with any supposed defects in the character of Schah Soojah. Differences of opinion were entertained in that respect by the public functionaries more immediately attached to his court; and, on the whole, I should say, from a perusal of those documents to which I had access when at the India Board, that those who had the best opportunities of observing that prince were the most inclined to view him favourably. I have heard, since I quitted office, upon something like good authority, that at the time when Sir W. M'Naghten and Sir A. Burnes were totally unaware of the mine which was about to explode beneath them, they received a warning of their danger, and that warning came from no other person than Schah Soojah himself. I will now notice one or two topics touched upon by the hon. Gentleman opposite—one of the charges brought against the intervention was, that it was an infringement of the treaty of Teheran. It is quite true that, by that treaty, we did stipulate to take no part, unless requested by both states, in any quarrels which might arise between the Persians and the Affghans. But, then, that treaty always was based on the supposition that the Affghans were an independent nation, and Mr. Elphinstone's treaty of 1809 dealt with them as such. When, therefore, the present Schah of Persia put forward pretensions to the sovereignty of that country, and engaged in hostilities, confessedly to obtain that sovereignty, he struck at the very root of the treaty, and released us from all obligation to perform our part of the engagement. Besides, what was the avowed object of our treaty with Persia? The pro-

tection of India, the assistance of Persia to prevent any hostile movement, through Central Asia, upon our eastern dominions; this was the object of the treaty of Teheran, just as it was of the treaty, proposed by Mr. Elphinstone, with the Affghans. But the conduct pursued by the present Schah, menaced us with the very danger which the two treaties were intended to avert, that is to say, an aggressive movement towards our western frontiers. It mattered not to us whether the danger arose from one powerful ally of Persia or another; what France was in 1809, Russia might be in 1838; and we had a clear right to interpose, to prevent the alarm and excitement which must necessarily have been caused by the near approach of such a power to our frontier, even supposing there were no fears of their hostile project being carried into full effect. The hon. Gentleman seems to think it mighty ridiculous to attempt to avert an attack upon ourselves by carrying the war to a distance, and providing means for assailing our antagonist in their own quarters. What did Lord Wellesley do in 1799, when Schah Zemana contemplated an attack on India. He sent an agent, Captain Malcolm, to Persia, with instructions to form a treaty with Persia, for the purpose of attacking the Affghans, and thus diverting them from their projected invasion of Hindostan. Again, in 1809, when Napoleon sent General Gardanne to Teheran, with a mission on a large scale, to secure the assistance of the Schah, in a combined attack upon India, the British authorities of that day imitated the example of Lord Wellesley though making use of different instruments to effect the same purpose. Then it was that Mr. Elphinstone undertook his celebrated journey, to persuade the Affghans, to make common cause with us against Persia; then also a mission was sent for the same object to the Ameers of Sind, and then preparations were made for despatching a naval force to attack Bussorah, just as Lord Auckland has occupied Karah. These measures and the judicious diplomacy of one of our agents at Teheran, produced the desired effect. The French mission was baffled, defeated, and dismissed, there was no appeal to arms in the case, but neither Lord Wellesley nor Lord Minto waited quietly for their enemies, at home, but prepared a movement *against* them in their own dominions.

Such was their policy, and it succeeded—such was our policy and it has succeeded too. The hon. Gentleman not only despised any danger, which may arise from native states, within our own territories, but has talked with some contempt of our neighbours of Birmah and Nepaul. This is to me quite a novel mode of viewing and speaking of those powers. When I was at the India Board, I found all those who knew anything of the matter, regarded them with much anxiety, and unless I am much mistaken, those now in authority regard them in the same light at this time; and I must beg to tell the Gentlemen opposite, that when I mentioned amongst the happy results of our first Affghan campaign, that the Nepaulese and Birmese had begun to assume a less hostile attitude towards us, I mentioned what was a subject of just congratulation, nor did I at all exaggerate the beneficial change produced throughout India, by our first triumphs in Affghanistan. Sir, much has been said in Parliament, and more still out of doors, as to the dismay produced in British India by the late disasters; but unless I am much misinformed, there has been not a little exaggeration on this subject. My decided belief is that they have not produced so serious an impression in India, as they have in England. I have, this day, conversed with a highly respectable person of rank and influence, a Hindoo gentleman of Calcutta, who spoke to me on this point without the slightest reserve. Of course that gentleman did not underrate the losses we had sustained; he deplored as every one must, the destruction of human life and the fall of many valuable men—but he treated as absurd the idea that these disasters, great as they were, could produce any serious effect on the stability of our Indian Empire, and was astonished to hear them spoken of, as being unparalleled in their nature and extent. For my own part, so far as I can presume to form a judgment, I have no faith in the gloomy prophecies of the gentlemen opposite; so far from being likely to be fulfilled, my firm persuasion is, that, in all probability, they will be speedily falsified. Hopes have been expressed on more than one occasion in this House and elsewhere, that the present advisers of her Majesty will adopt a totally different policy in regard to Central Asia, from that pursued by Lord Auckland and the late Government. I need scarcely say that my

hopes, I will add my expectations, take an entirely different direction. Unless circumstances should change to a degree, and in a manner which none of the information I received at the India Board will permit me to contemplate as at all probable, I cannot but think Lord Auckland's policy will be, in its main objects, followed out by his successor. I trust, indeed, that no Minister will be timid enough, or I ought to say bold enough, to depart altogether from the course marked out by the late hon. Governor-General. I do not think that any Minister will incur the responsibility of departing from the principles which formed the basis of Lord Auckland's administration. To say that some disasters, and those of a serious character, have happened, is saying no more than what might be said of every great war; but such disasters do not justify despondency, far less will any wise government alter its course because of, and at the time of those sinister events. On the contrary, I expect to find that the immediate result will be to stimulate the Government and the country to renewed and more strenuous exertions. Was our policy or our perseverance in the Spanish war the least affected by the retreat from Burgos? Many and many great calamities befel the country in the course of her long and sanguinary struggle with France. Those calamities gave occasion and pretext for repeated attacks on the Ministers of the day—the failures were condemned as proofs of the impolicy of the measures—but the Government did not give way. It yielded to no remonstrance, no attacks within or out of Parliament—the nation rose superior to every disaster—triumphs succeeded to reverses—and the war was brought to a glorious and triumphant termination. Let but the present Government follow that example, and they will be crowned, I doubt not, with like success. Hon. Members have talked as if nothing could hereafter be done to re-establish our influence in Central Asia, as if anything that has happened could destroy or seriously impair the strength and resources of our Indian Empire. It is impossible to listen to remarks of that nature, without lamenting the imperfect knowledge upon which they must be founded. I have, indeed, witnessed, in debates on this matter, such strange instances of ignorance in respect even to the acknowledged limits of British India, that

I almost distrusted my own recollections on the subject. For example, I heard one hon. Member, in opposing the Ministerial address of last August, accuse the late Government of having wished to extend British power beyond the natural recognised boundary of the Indus. As if the Indus ever had been the boundary of British India!! Those who have looked at the map know, that between the Sutledge and the Indus lies a territory that even yet has not come within our control—indeed belonging to a most important state—and that whatever direct influence we possess to the southward of the Punjab, in Scinde, has been acquired during the late war. Not very many years ago, no Englishman dared show his face at Hyderabad in Scinde—what is the case now? The Ameers are our friends—our tributary friends—the country is in our military possession—and what is of the utmost importance and significance, the great Indus is now navigated by British steam-boats, and carries our commerce and our arms into the heart of countries where they were before almost unknown. Now, perhaps, we may call the Indus the natural boundary of British India, but it is the first time we have had a right to do so. One of the hon. Gentlemen has said, that our commerce with the countries beyond the Indus has been annihilated by this war. He has mentioned the number of camels that have perished, and the general difficulties of transit for commodities caused by the late disasters. Who denies it? who denies that a country which is the seat of war does not afford facilities for commercial intercourse? I admit, that since the insurrection of November, 1841, our commerce with the countries watered by the Indus, has received a great check, and naturally so, but the hon. Gentleman seems to know nothing of the fact, that a great impulse was given to that very commerce by Lord Auckland's Afghan policy. Compare the exports from British India to the Indus for the years 1839-1840, and 1840-1841, and what is the result? I will tell you. The value of those exports for the first period amounted to five lacs of rupees, or about 50,000*l*. The value of those exports for the last official year, as reported to me, privately, by Lord Auckland, was 43 lacs, or 430,000*l*., of which 300,000*l*. in value consisted of goods of British manufacture. The hon. Gentleman has given



a most deplorable account of Indian trade and commerce, all, as he says, occasioned by the Afghan war. He has read a statement shewing that there is a falling off in the import of cotton twist. That may be so—but I have an abstract from the *Commercial Annual* of 1841, published at Calcutta, and compiled from official sources, by which it appears, that both the exports and imports at the port of Calcutta for the last official year have considerably improved. The imports to the amount of 801,500*l.*, and the exports 1,333,000*l.* [Mr. D'Israeli: Have you any returns from Bombay?] No, I have not. I have told you that my statement refers to the external commerce of Bengal. But, to return to this part of the charge against Lord Auckland, to be sure the war has produced pernicious effects—when has any war not done so in regard to financial resources? It is of the nature of war to cause exertions which inevitably increase expenditure. But even in this respect, I think the hon. Gentleman has been mistaken, and overcharged the picture. I have got the official return in my hand, presented to Parliament during the last autumn, and my figures do not agree with his—the hon. Member has stated the charges of the Indian government as amounting to not less than 20,000,000*l.* in the last year—by which I suppose, he means the last estimated year, and he stated, that, during the two preceding years, the charges were, 19,000,000*l.* and 18,000,000*l.* sterling. I repeat I find no such figures in this official statement—the actual charges are given at 17,357,130*l.*, that is to say, the charges partly estimated for the year 1839-1840. I quote them as I find them in number 10 of the Indian accounts. [Mr. Baillie: My information was derived from private sources.] Very likely—but the hon. Gentleman should be told that such sources are not very safe, and that a sketch estimate in Indian finance, must, of necessity, be a very uncertain document. Sir, the deficiency of the Indian revenue, to meet the charges of Government, has arisen mainly from the increased establishments and other expenditures inseparable from war. I find, that the average charge of the three years ending with 1838, amounted to about 14,631,825*l.*, and that the estimated charge for 1839-1840, is 17,357,130*l.* as I have before mentioned—making an increase of 2,725,305*l.* But the falling off in

the revenue—I mean the net revenue, as given in the Parliamentary return, does not on an average of the same three years compared with the estimate for 1839-1840, amount to 500,000*l.*—the figures are, I believe—

Average net revenue for three years ending 1839 .....	£15,215,028
Estimate for years 1839 and 1840	14,746,470

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Shewing a falling off of .... £468,558

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Now the defalcation in the opium revenue will more than account for this difference; and I am happy to say that in the most important item of all—the land revenue—there has been no falling off; on the contrary, the land revenue, according to the estimate, is a little higher in Bengal, in Madras, and in Bombay, than it was in 1836-37, and although it is a little lower in the north-western provinces, which have not yet recovered from the distress of 1837-38, yet on the whole, I repeat, an improvement has taken place in the Indian land revenue, and there is, I trust, every reason to believe that it will continue to improve. It must not be supposed that the deficiency of the Indian revenue has been caused by the financial mismanagement of the Indian Government: a great and urgent call has been made upon the energies of that Government, and every arm of our Eastern empire has been strengthened and improved. During Lord Auckland's administration the army in India was increased by no less than 50,826 men.\* In the same period a most powerful steam flotilla has been almost created. When I came into office in 1835, there were six sea-vessels and five river-vessels, since that time no less than thirty-one vessels have been added, many of them of the most powerful class; that is, fourteen for sea-service, thirteen for river-service, and four both for sea and river-service. These vessels have set the example of long sea voyages—they have made the communications between India and England regular and quick—they have opened the Indus to British commerce—they have displayed the British flag, for the first time in history, on the Tigris and Euphrates. Never at any period has our Eastern empire put forth her

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\* Natives, 41,952; Queen's Troops, 5,000; Company's European, 3,570; Company's Officers, 304:—Total, 50,826.

energies with greater exertion and effect, and I do say now, that Lord Auckland's general policy produced a great moral effect, not only in Asia, but in Europe. It shewed the capabilities of our great colony; it shewed that India was a source, not of weakness, as some ignorant men have said, but of strength. The hon. Gentleman told us, that, by a singular coincidence, Russia, France, and England found themselves in the same dilemma, by pursuing the same ambitious schemes of conquest, at Khiva, in Algeria, and Afghanistan. I confess, I cannot, see any similarity in the three cases, but if there be, it only shows that we have had imitators. For myself, I hope I may be permitted to say, that I am not at all discouraged by recent calamities, which, to my mind, prove nothing against Lord Auckland's policy. I am confident that if that policy be persevered in, they will be fully repaired. The Affghans will be our friends, and Persia will be, as she was heretofore, a parallel not of attack, but of defence. I will presume to add, that if Ministers pursue this course, they will receive the most cordial support, not only from the Parliament, but the people. Moreover, they will surmount their present difficulties. There is in our Indian empire an elasticity which has never yet failed us, and on which I now most confidently rely. Those who have administered that empire have, from the beginning, had to contend with these "prophets of evil," who have from time to time repeated the same cuckoo-note, and foretold the downfall of our dominion. There have never been wanting, either in Parliament or amongst the home authorities, politicians who have so spoken and so written, that if they had been listened to, we should have had no Indian empire at all. Governors-general have had to contend even with the prudence of their employers, and the jealousy of the public, and without going back to the times of Clive or of Hastings, I will mention one remarkable instance. In vol. v., page 302, of Lord Wellesley's Despatches, it will be seen that Lord Castlereagh, then President of the India Board, wrote a long memorandum to the Governor-general on his *Mahratta* policy, and the probable results of the treaty of *Bassein*. In this letter he disputed "the abstract policy of what had been aimed at," and contended that it had not been judiciously pursued; and he

ended the paper—a very long one—with these words:—

"The object, however, of most importance will be, to bring the war to an end as early as is consistent with our good honour and good faith. Extension of territory not being our purpose, we have nothing to gain from the contest, whilst it suspends all our views to the reduction of the debt."

Oh no! of course, extension of territory was no purpose in view—reduction of debt was the only view worth considering. So thought and so wrote Lord Castlereagh: but what did Lord Wellesley do? Why, he sent the paper anonymously, that is, without telling who wrote it, to different public functionaries for their opinion; amongst others to his brother, Sir Arthur Wellesley. It is not easy to condense anything said or written by that great man: suffice it to say, that in his observations on Lord Castlereagh's Notes he showed—

"Much of the anonymous author's reasoning might be attributed to the erroneous views of the political state of India at the time the treaty of *Bassein* was made."

We well know whose advice Lord Wellesley followed, in spite of the repeated attacks made upon him in this House, and elsewhere; attacks which ended in the signal discomfiture of his assailants; and we also know how much has been added to British India since Lord Castlereagh, in March, 1804, declared "extension of territory was not the purpose" of the Government. As a proof how differently this purpose was looked upon in India, and in England, I will venture to read an extract of a letter from the Duke of Wellington to Lieut.-general Stuart, dated 20th December, 1803: it will be found in page 398, of volume iii. of the Duke's despatches.

"I have no doubt," says he, "that the *Rajah* (of *Berar*) will ratify his treaty, and that *Scindiah* will make his peace as soon as he can. Indeed his *Vakeel* and I are agreed upon the principal points, and we should have concluded a treaty some days ago, if I had received from Bengal any information whatever of even the names of the countries the Governor-general wished to have. I was therefore obliged to acknowledge my ignorance, and to ask the *Vakeel* for information of the state of the countries in *Hindustan*."

So it appears that whilst the Home authorities thought not of extension of territory, the commanders in India were conquering and acquiring—and felt no

embarrassment, except from not knowing what and how many countries they were to add to the British empire. With reference also to the mode of carrying on these wars, I will, with the permission of the House, read an extract of a letter written by the Duke of Wellington to Colonel Wallace on the 27th of March, 1804. It runs thus:—

“I received last night your letter of the 23rd. You must have no scruple in acting at once for the benefit and safety of your corps, whenever you are fully convinced, from the evidence given to the persons appointed to inquire into the circumstances of any robbery, that those attached to your camp have been plundered or ill-treated. In this instance I have no doubt but that Carribul and Manygee were both guilty of the murder. Accordingly I request that they may be hanged; and let the cause of their punishment be published in the bazaar by beat of tom-tom, or by any other mode by which it may be supposed that it will be rendered more public. The patel of Batculgaum, in the style of a Mahratta patel, keeps a band of plunderers for his own profit and advantage. You will inform him, that if he does not pay for the horses, bullocks, and articles plundered, he shall be hanged also. You will acquaint his village with this determination, and allow time for the answer to return: and you will hang him if he does not pay the money at the time fixed upon. It is impossible to get on without these punishments, in the Mahratta country.”

Now these things, if looked at nakedly, might easily be made to present no very pleasing view of our Indian conquests—and in fact, these conquests have been made, as it would appear, very much to the dissatisfaction of the Court of Directors, the Parliament and the people, that is of all who have been gainers by them. Whilst we were adding province after province, and kingdom after kingdom to our dominions abroad, we were at home declaiming and resolving, and protesting against the fatal ambition—nay, we were so moderate as even to legislate—or rather to declare by act of Parliament in 1784,

“That to pursue schemes of conquest and extension of dominion in India, are measures repugnant to the wish, the honour, and the policy of the nation.”

In defiance, however, of this moderation, our empire has fulfilled its great and glorious destinies—temporary checks have served only to give fresh impulse to its energies—the fall or failure of one *man has only made way* for the activity

and zeal of others. I had the honour of proposing the vote of thanks for the successes of the first Affghan campaign—too happy shall I be if events shall permit me to second a similar proposal, in honour of some commander and his gallant associates, who may be fortunate enough, under the auspices of the present Government to retrieve the melancholy but partial disasters which have lately overtaken the British arms. Sir, I sit down impressed with the deep conviction with which I arose to address the House that Lord Auckland was not only justified in the course he pursued, but that had he pursued any other he would have rendered himself amenable to the censure, and more than to the censure, of the British Parliament and British public.

Viscount *Jocelyn*: Sir, I trust the intrusion of so young a Member upon the attention of the House will be excused. The deep interest I feel in the subject to which the motion of the hon. Member for Inverness refers, makes me anxious to take a part in this debate, to point out a few facts which have fallen under my own observation, while serving on the frontier of India, and to state opinions, which I am aware alone deserve attention, as being gathered from men holding high civil and military appointments in that country. I have great pleasure in bearing testimony to the vigorous measures of her Majesty's Government in despatching within the last few months large reinforcements to India; I fear they will be required to repair the late disasters on our north western frontier, disasters, which might have occurred under any government, but which, I firmly believe, would have been averted, had proper military precautions been taken, and had the same skill and energy which has characterized British operations in other parts of India, been brought to bear upon the war in Affghanistan. Not that any measure of success would have justified a war, which has always appeared to me unjust, arbitrary, and impolitic in the extreme. With the permission of the House I will state concisely the reasons alleged in India for the necessity of the expedition, a few of the difficulties encountered in its prosecution, and the results obtained, and I would then leave it to this House, and to the country at large to decide, whether a continuance in the same line of policy, is likely, either in a financial, political, or

moral point of view, to uphold the credit of England, or advance the interests of the people of India. Sir, I would first state, that differing as I do with my noble Friend, the late Governor-general of India, and with the right hon. Baronet, on the opposite side of the House, whose friendship, I trust, I may likewise claim, I beg to assure them that there are none of the warmest admirers of their policy more ready than myself to acknowledge the energy they displayed in carrying out the measures they considered necessary to support the honour of the British name, and the stability of the British dominions in India, and I will further add, that in my humble opinion, had the noble Lord numbered amongst his political functionaries, a Close, a Malcolm, or a Munro, although the policy would have been the same, we should not now have to deplore a course of events unparalleled in the history of our Indian empire. It is with deep regret, Sir, that I perceive, that many who formerly deprecated the invasion of Afghanistan, contend now, that our reverses leave us no option as to the line of policy to be pursued, and that we must persevere in this unjust and arbitrary warfare. Sir, I am wholly unacquainted with the intentions of her Majesty's Government, and I am fully alive to the difficulty of forming an opinion at such a distance from the scene of action, but I cannot refrain from saying, that I do sincerely hope, we shall not prosecute a war for the purpose of vengeance or conquest. We are called upon, no doubt, to succour the remnant of our scattered army, to provide for the release of our countrymen and countrywomen now in the hands of the Affghan chiefs, and to relieve our troops, who still hold positions in various parts of that country, we may demand with justice the punishment of those individuals who are said to have behaved with such treachery in the late negotiations, but I deem it my duty to protest in the most solemn manner against any proposition for entering on a new series of operations to wreak our vengeance on the Affghan nation, or for taking measures for the permanent occupation of Afghanistan. Sir, the British people have confidence not only in the ability of the right hon. Baronet at the head of her Majesty's Government, but also in his integrity, and I trust the present Government will never be a party

to measures which would cast such a stigma on the British name. Let me call to the recollection of this House that the late advance across the Indus was undertaken contrary to the opinions of our wisest Indian statesmen, but at the head of the army of the Indus was paraded one of the legitimate descendants of the kings of Cabool, and an acknowledged claimant of the Affghan throne. It was notorious that a portion of the population was in his favour, and we had a semblance of justice in espousing his cause, but this delusion has faded away, no one will now pretend that Schah Soojah is the chosen monarch of the Affghan people, no one will be bold enough to maintain that in the prosecution of a sanguinary and revengeful war we shall benefit the Affghan nation. It is urged by the defenders of this policy, that it was expedient to raise up a barrier on our north western frontier, to arrest the progress of European intrigue. Another argument was, the alleged necessity of supporting the *prestige* of British superiority, which it was said the native population of India believed to be on the wane. Now, if an hon. Member of this House lately connected with the civil administration of India, spoke the sentiments of his party, when he declared it to be a vulgar error, that our empire in India was based upon opinion, and that we held India by the sword and the bayonet; where was the necessity of establishing a barrier on our frontier, or of entering on an unjust and sanguinary war to support a *prestige* allowed to be useless and of no importance. I would here for a few moments direct the attention of the House to the commencement of the operations beyond the Indus. On the 1st of October, 1838, the Simla declaration was issued; allusion is there made to the commercial mission of Captain Burnes to Cabool in 1836,—a mission to which I cannot but trace our unfortunate direct interference in the political affairs of Central Asia. It matters little whether Captain Burnes recommended the espousal of the cause of Dost Mahomed, or of Schah Soojah, I believe he can be quoted as an authority on all sides of the question; but it is quite clear that he gave it as his opinion that the time had come for more direct interference in some shape, and there never was a more fatal error. For a long series of years the Seiks and Affghans had been at

war. The hardy Affghans could make no permanent impression on the disciplined Seiks nor could the troops of Runjeet Singh venture within the Khybar passes to attack the people of Afghanistan. In their alternate successes, and never ending feuds and jealousies the British frontier remained unmolested, and combined with the physical difficulties of those countries, no more effectual barrier for the security of our possessions could have been devised or desired. With respect to the justice of the case, that lay on the side of the Affghans. Runjeet Singh had treacherously seized on Peshawur, and the British Government steps forward to support his claim. The Simla declaration states, "we feared that the flames of war would be kindled," and therefore we attempt to subjugate the Affghans, a nation whose characteristic is a proud independence, and who, as Mr. Elphinstone states, are content with discord, are content with war, but never with a master. We profess, that we are full of peaceful and beneficial purposes, and therefore the British nation joins with the Seiks, the hereditary foes of this brave people, to carry fire and sword through the length and breadth of Afghanistan. That British nation, whose character (thanks to Mr. Elphinstone, and other noble names,) stood so high amongst the Affghans, and commanded the respect of all the tribes of Central Asia. And what was the only tangible reason?—to counteract the intrigues of Russia. A candid enquiry into the history of these intrigues would show upon what slight foundation many of the reports were based. A mendicant Jew is transformed by Dr. Lord into a Russian spy, and at a later period, Mr. Massen, one of the most active labourers in the field of scientific discovery in Afghanistan, is, under the same pretence, most unjustly seized, and imprisoned by the political agent at Quettah. But I do not deny that Russia may have had her emissaries in Afghanistan, it appears from the papers submitted to this House, that the ambassador of Russia in Persia was instrumental in urging the Schah to prosecute the siege of Herat, and Russian agency may have been at work there, as in other parts of the world. But, allowing all this to be true, have we not fallen into the trap laid for us by Russia? Have we not played her game politically and financially? We have exhausted our own resources in

raising up a party against us in the very countries where there was a strong feeling in our favour; and if there be any truth in the ambitious designs of Russia, we have done more to pave the way for her advance within the last three years than she herself could have done in fifty years. Granting that Russia has the will to injure us in that quarter of the globe, I deny her power, and I point to her late disastrous expedition to Khiva to bear out my statement. But, Sir, it was thought otherwise by the late Government, and it was determined to place Schah Soojah-ool-Moolk on the throne of Cabool. In 1836, the British Government sends an accredited agent to form a treaty with Dost Mahomed; in 1838, the British Government denounces Dost Mahomed as an usurper, and a traitor to his lawful sovereign. And, Sir, I will ask this question, If this lawful sovereign, the unfortunate Schah Soojah-ool-Moolk reigned in the hearts of his people, where was the necessity of lavishing millions of British money to surround him with thousands of British bayonets? And, even if all this was deemed requisite, why should not Runjeet Singh, who was to reap the chief benefit, have borne his portion of the expenditure. Sir, if these proceedings are analysed, they appear more extraordinary at every step. I would just call the attention of the House to the tripartite treaty concluded between the British Government, Schah Soojah-ool-Moolk, and Runjeet Singh. A masterpiece of Eastern diplomacy. It is wonderful to see how the British envoy is outwitted by the wily Seik. We pay all the expense, Runjeet Singh and Schah Soojah gain all the advantages. But Runjeet takes the lion's share. His recent conquests are guaranteed, he exacts a yearly tribute from the Schah's scanty revenues, he pours into his own treasury the larger portion of the money exacted from the Ameers of Scinde, and what does he do in return. Is it to be believed that he will not even give permission to the British army to pass through his territories, the nearest route to gain the object in view. Instead of crossing the rich and fertile Punjaub, where there would have been an easy line of communication, where proper bases for military operations and depôts of grain could have been formed, we find the British army obliged to take a long and circuitous route, through countries thinly inhabited, and destitute

of supplies. I am sure that all who read this tripartite treaty with attention, will agree with General Allard, one of Runjeet's French officers, who, when it was shown to him, signed and sealed, exclaimed, "*Mais c'est Le Maharaja qui a dicté.*" Forbidden by the terms of this remarkable treaty to take the nearest and most eligible route through the Punjaub. We find the Bengal division of the army consisting of about ten thousand men marching down the eastern bank of the Indus from Ferozepore to Bukkur, and during the months of November and December the Bombay division of 5,600 men under Sir John Keane landed in Scinde. As far as Bukkur few difficulties were experienced, but the Indus once crossed, and water carriage no longer being available, we find the most deplorable accounts of the progress of the army, scrambling on as it were by detachments, suffering the greatest privations, from scarcity of forage, and want of water, and liable to be cut up in detail, had the smallest opposition been offered. Sir, I will not take up the time of the House with lengthened statements; but I wish to direct attention to a few facts connected with the horrors of this war, and the lavish expenditure incurred. On the 6th of April Major Outram states,—

"The combined troops of the Schah, and Bengal column have been obliged to push on to Pisheen with only ten days half rations per man, and none for the cattle."

Again, he writes,—

"The followers of the army were compelled to eke out their subsistence by picking up weeds."

Even at Candahar we find the troops on the verge of starvation; two pounds of flour costing one rupee. I ask, how was it possible for the wretched followers to purchase grain at that price. Indeed, their sufferings in all the narratives I have read are frightful to contemplate. Exhausted by hunger and toil hundreds sunk on the wayside, and fell victims to the swords of the ruthless marauders who hovered on the flanks and rear of the advancing army. Nor must we overlook the Sepoys themselves, whose gallantry and fidelity so many glorious fields attest. Have we a right, without some dire necessity, to expose them to climates so adverse to their natural constitutions,—to drag them to such a distance from their families,—and force them in small bands to contend

at a disadvantage with hosts of fierce and warlike enemies? Sir, it is my belief that the safety of our Indian empire depends upon our native army, and we must beware lest we sow the seeds of disaffection in their ranks which may bring forth the bitterest fruits of sorrow and repentance. But if such were the privations of human beings, what was the state of the cattle? Their mouldering carcasses strewed the road; between Shikarpore and Candahar 20,000 camels are said to have perished. In one day it was requisite to shoot fifty-three horses, and we find in Major Hough's narrative, that on reaching Candahar the cavalry and artillery horses were so exhausted as to be scarcely able to move from their pickets. I myself had the pleasure of welcoming the 16th Lancers back to Hindostan; and I can state as a fact, that on their return to Meerut, three-fourths of their horses having become unfit for service during the campaign, were obliged to be drafted from the regiment. I will not enter into the financial part of the question, which so many other Members are more competent to discuss; but I would in connection with the above facts, remind the House that in 1837, according to the documents before Parliament, there were ten millions of money in the Bengal treasury, a permanent and increasing balance I beg to observe, and that within the last year the East India Company has been compelled to open a loan, and, as far as I can understand, other loans must be resorted to to relieve their financial embarrassments. That before the commencement of this ill-judged crusade there was a surplus revenue in India, and that the estimated deficit for 1842 is upwards of two millions of money. Sir, the burden of this wild and wanton expenditure falls on the people of India. If one tithe of the money squandered in aggressive warfare were devoted to internal improvements, how incalculable would be the benefit, in developing the dormant resources of that noble country, in diminishing the present excessive taxation, in abolishing oppressive and grinding monopolies, and in promoting objects of the highest national importance. Sir, it was remarked that there is a freemasonry of Islamism extending from Morocco to Coromandel, I believe that there is a freemasonry of enquiry spreading silently throughout our Indian empire, which will

ere long lead the people to look more narrowly into the acts of their legislators, and question their right to drain India of its wealth, and expend the best blood of its inhabitants in distant and unnecessary enterprises. Sir, I would ask the military man who has traversed the north western frontier, whether in his opinion any line could be more adapted for a chain of military positions, than the line marked out by nature along the banks of the Indus and Sutlege. I would ask the man of commerce, whether he will maintain, that the obtaining or retaining any trade is an object for which men may justly spill each other's blood, or whether the profits of any trade can be equal to the expense of compelling, or of holding it by means of armies, and whether it is not far more probable that the commerce of Central Asia will find its way to the banks of the Indus in times of peace. I would put it to those accustomed to consider political matters, whether it is wise to enlarge our political relations and responsibilities, whether we ought not to husband our resources, and keep our troops prepared, within our own frontier, for any external or internal emergency, and whether the separate interests of a number of warlike tribes do not form a safer barrier than if united under one head, when at any moment the weight of their influence might be cast into the scale most likely to benefit the individual interests of one powerful ruler. Sir, I have stated my opinion of the policy of this war, I have entered my protest against its continuance,—but before I sit down I cannot refrain from raising my voice against those, who, I believe, to have been the chief authors of this expedition, those servants of the British Government who went forth on their political missions, in the spirit of the dark ages, as if there was no other country in the world to be considered but England, and as if all enlarged and enlightened views must bow before the shrine of her interests, who, regarding every thing with the jaundiced eye of prejudice, exaggerated trivial circumstances, construed every movement into an encroachment on our rights, and blinded by a mean, petty, selfish policy, endeavoured to blow into a flame the embers of discord in all parts of the world. Sir, such a policy cannot be too strongly deprecated. When we hear of single travellers falling victims to this low system

in intrigue and espionage, and meeting worse treatment at the hands of our political agents than from the wildest tribes of Central Asia. Sir, I repeat such proceedings degrade the British name, and argue a want of confidence in our power to the last degree undignified. If the rights of England are infringed, she can defend herself. The meteor flag of victory which has waved triumphantly for so many hundred years, will again do so in a just cause. \*I, for one, do not attach that weight to our late reverses which some are inclined to do, deprecating as I do the continuance of the war I feel no anxiety about the result. I do not consider that these disasters are irreparable, or have in any way affected the stability of our Indian empire; on the contrary, they have shown how firmly it is based. But we should beware of exciting strife by pursuing a system of all-grasping policy. We should act on higher principles. Why should not England and Russia meet on the plains of Central Asia, as on neutral ground, not to embitter still more the feuds and jealousies that distract those unhappy countries, not to afford an example of European nations, blinded by selfishness and prejudice ready to shed each other's blood in fierce and sanguinary warfare. But stirred by a noble emulation to advance the best interests of mankind, to create the feelings of peace and amity, by mutual accommodation, and mutual benefits, and to prepare the way for that which would be the most glorious result of all our successes and conquests, the diffusion of the blessings of civilisation and Christianity.

Mr. Hogg said, that it had not been his intention to take any part in the debate, disapproving, as he did, of the motion of his hon. Friend, the Member for Invernesshire. But, as he had been so pointedly alluded to by his right hon. Friend, the late President of the Board of Control, who had drawn a most erroneous inference from expressions used by him in a former debate, he thought it desirable to avail himself of the earliest opportunity of setting himself right with the House. He was the more anxious to do so, as he should be sorry to have it supposed that he had expressed in that House opinions diametrically opposite to those which he had stated in the Court of Directors and elsewhere. His right hon. Friend (Sir J. C. Hobhouse) had alluded to the discus-

sion which took place upon the occasion of granting a pension to Lord Keane, and had read, and he believed correctly, what fell from him (Mr. Hogg) on that occasion. He had taken no part in that discussion until some hon. Member threw out a suggestion that the pension granted to Lord Keane should be paid from the revenues of India, and that suggestion seemed to meet with so favourable a reception from the House, that he confessed he felt some little alarm. He had felt it his duty to oppose such a proposition, and to protect the revenues of India from a burden to which they could not be justly subjected. And what was the line of argument he adopted as shewn by the very passages which had been read by his right hon. Friend. He never even adverted to the policy of the war, except to shew that it had not been undertaken for Indian purposes. He contended that the pension of Lord Keane ought not to be paid from the revenues of India. He went further, and asked why the resources of India should be saddled with the whole of the expenses of the Affghan campaign, when that war was of European origin, and had been undertaken for European purposes? When it had been concocted in this country by the Cabinet of St. James, and had been carried out, not entirely perhaps, but chiefly for objects of European policy. Upon that ground he had contended, and was prepared again to contend, that not only the pension of Lord Keane, but a proportion, and a considerable proportion too, of the expenses of that war ought to be defrayed from the resources of this country. And however great might be the reluctance of the House to add to the public expenditure in the present state of financial embarrassment, still he felt satisfied that a sense of justice would be paramount to such considerations, and that they never would declare that expenses which ought to be borne by this country should be inflicted on the people of India. Such was the object with which he had addressed to the House the observations which had been quoted by his right hon. Friend, and from which his right hon. Friend had most strangely drawn the conclusion that he was favourable to the policy of the Affghan war. It was against such an interpretation of what had fallen from him, that he now felt it his duty to protest. Again, his right hon. Friend had read a resolution of the Court

of Directors which had been adopted by the Court of Proprietors conveying a vote of thanks to Lord Auckland. In that resolution there occurs the word "sagacity," from which the right hon. Baronet attempted to draw the inference that the Court were favourable to the policy of the war. Now to that very word he had objected, when he heard it read in the Court. He suggested that "sagacity" implied forethought—implied consideration—that it might seem to indicate, not only approbation of the manner in which the operations had been executed, but of the policy on which they were undertaken. "Not at all," said the chairman, "the resolution is not intended to convey any opinion as to the policy of the war, and cannot bear any such interpretation." He would tell his right hon. Friend that if he appealed to the Court of Directors, he would appeal to twenty-four gentlemen, who regarded him with every feeling of kind consideration and love, in grateful recollection of the many measures he introduced for the advancement of the interests of India, but who would constitute a most unfavourable tribunal if required to express an opinion as to the policy which dictated the Affghan war. He repeated his regret that he had been called upon to address the House that evening. He had determined to remain silent, because he disapproved entirely of the motion which had been made, and he felt all the embarrassment resulting from the time and the occasion upon which the discussion was raised. However strong might be his opinion as to the impolicy of the war, he did not feel himself in a position to urge that impolicy now, for the purpose of casting a stigma on the late Government. He could not but bear in mind that an army had crossed the Indus in 1838, and that up to that night the policy of the war had never been arraigned or even discussed in that House. He would ask, if it was becoming the character of that House, to remain silent while the horrors of war were carried into a neighbouring country without any adequate provocation, and never to express their disapprobation or evince their sympathy till calamity and disaster had overtaken our troops. Let it not appear as if their opinions were the mere creatures of results. He contended that the policy of the war was not proved by the success at Ghuznee, and was in no wise affected by



the disaster at Cabool. He admitted it might be difficult to select the precise moment when it might be fitting and consistent with the public weal to discuss in that House the policy of pending hostilities; but of this he was certain, that the period of failure and defeat was the time when such a discussion could not take place without compromising the character and the honour of the country. True it was that upwards of 7,000 fighting men, and perhaps twice that number of camp followers, had perished in the snows of Afghanistan, or been butchered by a treacherous foe; but was that the moment to be selected for debate and discussion? Was the British House of Commons to be occupied in idle declamation at a time when action, and energy, and retribution ought to engross every thought and to nerve every arm? It mattered not what might have been the policy of the war, or who might have been its authors. Perfidy, without parallel, must be punished—murder, the most atrocious, must be avenged—and the national honour must be redeemed and asserted. It was true, as had been said by his right hon. Friend (Sir J. Hobhouse), that when Ghuznee fell, and pensions and honours were lavished, no voice was heard in reprobation of the policy of the war. He (Mr. Hogg) did not agree with his right hon. Friend in the inference which he drew from that silence, but now, when compelled to surrender that fortress, he would not incur the risk of paralyzing the energies of his country by vainly wailing over their calamities, instead of applying himself energetically to redress them. In refusing his assent to the motion, he could not avoid being influenced by the recollection that his right hon. Friend the Secretary for the Home Department had given a notice upon this subject which he afterwards abandoned. He did not know the reasons which had influenced his right hon. Friend in abandoning that motion, but he believed that he did so because he thought that the discussion might be injurious to the public interests, and not from any forcible impression made upon his mind by the perusal of the papers laid upon the Table of the House; and that consideration suggested to him the main objection he had to the form and terms of the motion of his hon. Friend (Mr. Baillie). That motion assumes that further papers and information are necessary to enable the

House to form an opinion. His hon. Friend says, "Give me more papers; I want to form an opinion—the public want to form an opinion, as to the policy and justice of this war." He did not want any more papers. A careful perusal of those upon the Table of the House enabled him to come to a clear, positive, distinct, and satisfactory conclusion that the war was both impolitic and unjust. It had been complained, not only that all the papers had not been produced, but that parts of those which had been produced were suppressed. He did not think there was any reasonable ground for that complaint, as he believed it was fully understood that public documents were never given *in extenso*. He thought no man could peruse the papers before the House without coming to the conclusion that there must be other and stronger documents which the late Government felt it their duty to withhold, and which most probably could never be produced, if they were of the nature and character which he supposed. But he thought that his hon. Friend (Mr. Baillie) had no reason to complain that such papers were withheld; and he further thought that the late Government had no reason to complain that the discussion was taken in the absence of such papers. They had chosen to rest their case upon the papers which they had laid before the House, by those papers they must stand or fall, and they had no right to urge that there were others, which if produced, would greatly fortify that case. Besides, he was ready to admit that the papers before the House made out to demonstration the case of the late Government as far as regarded Russian aggression and intrigue. While he made that concession, he must repeat his opinion as to the impolicy of the war. That opinion was strong and decided, but he was disposed to express it with becoming hesitation and humility, knowing how many competent authorities had come to a contrary conclusion. It was his desire, as far as he could, to place the case fairly before the House, and he admitted that contemporaneous with the appearance of a Persian army before Herat, there were other circumstances tending to place the government of India in a situation of great difficulty. Runjeet Singh was then said, and he believed truly, to be contemplating further aggressions on Afghanistan, while his eagle eye was also directed towards the territories of the Ameers of Scinde,

and however friendly our relations with that prince, we could not have regarded without alarm, any further extension of his power. The Nepaulese, one of the most formidable powers in the East, with the best disciplined army, was watching an opportunity to descend upon our territory. And here he could not avoid expressing his surprise at the terms in which his hon. Friend (Mr. D'Israeli) had spoken of the military power of Nepal. The Birmese had repudiated their treaty, rejected our ambassador, and were assembling an army to regain the provinces we had wrested from them in the war in which we had unfortunately been engaged in with them. It was true also, as had been stated by the right hon. Baronet, that there was at the same time a vague indefinite feeling of apprehension pervading the whole of India, that English power was on the wane, and that Russian influence and power were in the ascendant. He admitted all these facts, and admitting them, he could not refuse to own that they placed before every man circumstances of difficulty where the wisest might err, and where none ought to be rashly condemned. It had been declared that the policy of the Affghan war had been approved of by the late cabinet, but he presumed that it chiefly originated with the right hon. Baronet the late President of the Board of Control, the noble Lord the late Secretary for Foreign Affairs, and Lord Auckland, then at the head of the government of India; and he believed that each and all of them were influenced solely by a desire to advance the interests of this country, and protect and strengthen our empire in the East. He believed they were not actuated by any ambitious desire to extend our territory, and that the sole object they had in view might thus be expressed: "we will show to the world that we are not afraid boldly to march forth and encounter the danger which threatens us, and it may be that by a demonstration of strength in the Indus, we may avert commotion and bloodshed on the Ganges and in the heart of our own territories." Such he believed to have been the opinion and the governing motive of the authorities to whom he had alluded. He differed widely from them, and as he had already stated believed their policy to be most unwise as regarded our own interests, and most unjust as regarded Affghanistan. With respect to the powers that were threatening us, was he to be told that the Nepaulese

and Birmese were less likely to invade our territory when our army was in the west of the Indus than when it was assembled near their own frontier? He would withhold nothing within his knowledge. He believed that the first results of the Affghan campaign did create alarm in the minds of the Nepaulese and the Birmese. But for how long; and had we been relieved from the necessity of precautionary measures? Had we not been compelled to continue an army of observation to watch the movements of Nepal? and had not Tharrawaddie come down from his capital with an army or a rabble of 50,000 or 60,000 men and settled at Rangoon, thus compelling Lord Auckland to assemble a formidable force to keep him in awe? His right hon. Friend (Sir J. Hobhouse) had dwelt on the advantages resulting from the Affghan campaign. As far as he (Mr. Hogg) knew them, he had candidly stated them. He admitted they had a temporary effect in allaying the feeling of doubt and apprehension which had been growing up with respect to the stability of British power in the East. But while he admitted this, he must call the attention of the House to the cost of life, of treasure, and of character, at which these transient and partial advantages had been purchased. Estimates had been submitted of the cost of the war, and his hon. Friend (Mr. Baillie) had stated the amount at 11,000,000*l.* As far as he had the means of judging, he believed that this ill-fated campaign had already cost the country upwards of 8,000,000*l.*, which was in accordance with what had been stated by his right hon. Friend (Sir J. Hobhouse). And here he must say that although he agreed with his hon. Friend who introduced this motion as to the impolicy of the war, he differed very widely from the line of argument they had adopted. His hon. Friend who brought forward the motion deprecated an interference in Affghanistan, and yet the greater part of his speech was occupied, not in maintaining inviolate the great and intelligible principle of non-interference, which he wished to see prevailing both in the east and the west, but in contending that our treaty ought to have been with Dost Mahomed, thus conceding that interference was politic and expedient, and urging an argument which demolished his own principle. What both his hon. Friends had insisted upon was this, not

that we should not have interfered at all, but that we interfered at the wrong time, in the wrong way, in the wrong place, and with the wrong chief. He (Mr. Hogg) was relieved from the necessity of entering into the details of the statement made by his hon. Friend (Mr. Baillie), nor was it necessary for him to institute any comparison between the advantages of treating with the chiefs of Cabool, Candahar, or Herat. His argument was that we ought not to have interfered at all in the politics of that country, and that we ought to have limited ourselves to forming such friendly relations as would tend to facilitate our commercial intercourse, and considering how miserably poor and unproductive Afghanistan was, he would rather have abandoned any contemplated commercial advantages, than have incurred the risk of involving ourselves in any political relations with that distracted country. The right hon. Baronet (Sir J. Hobhouse) said, interference is unavoidable, "If you don't interfere in Afghanistan, Russia or Persia will." He assumed that if we had not interfered, that country would have fallen under the dominion of Persia nominally, but virtually of Russia. Now, he entertained no fears as to the safety or tranquillity of India from the intrigues in Afghanistan of any Persian or Russian emissaries. But if aggression had proceeded further, and Persia or Russia had ventured on a hostile invasion of Afghanistan, they would have experienced failure and disaster that would have taught them a salutary lesson, while we should have remained within our own territory free from the calamities that have befallen us, and the ruinous cost that has attended them. Suppose that the strongest and clearest case of Russian aggression was made out, and that it was incumbent on us not only to remonstrate but to act against that power, why, he asked, should we do so indirectly, and thus betray our fears? If England felt it incumbent upon her to call Russia to account by some hostile demonstration, it ought to have been done by a fleet in the Baltic, not by an army on the Indus. Why shrink from the responsibility of our own acts? Why do indirectly, through the instrumentality of the Indian government, and at the expense of the natives of India, what ought to be done openly, in Europe, by the Cabinet of St. James, and from the resources of this country? He admitted that the

right hon. Baronet opposite had made a most able and powerful statement in support of the policy of the war as far as that policy could be proved by adducing authorities in its favour. But on authority alone had the right hon. Baronet relied. Not a word in support of the justice and scarcely an argument in favour of the policy of the war. The right hon. Baronet had said to his hon. Friend who made this motion:—

"You rest all your argument on the authority and opinion of Sir Alexander Burnes.—Why rest entirely on authority? Why not reason on the principle and expediency of the question?"

But what had the right hon. Baronet done himself? He rested his whole case on the authorities he cited, and subjected himself to the very imputation he had urged against his hon. Friend who opened the debate. He believed that it was almost unnecessary for him to state that the Court of Directors had never been consulted as to the war. Not a member of that court knew that hostilities were even in contemplation, until it appeared in the public papers that an army had been assembled on the Indus. [Lord J. Russell: "The secret committee knew of it."] In making that statement, of course he did not mean to include the secret committee. He spoke of the court, not of the committee. The chairman, the deputy chairman, and the senior director were members of that committee, and must have been aware of the intended measures, but as those gentlemen were sworn to secrecy, he could not know what opinions they had expressed as to the policy or justice of the war. He wished now to offer a few words in reference to the attack made by his hon. Friend near him (Mr. D'Israeli) on the right hon. Baronet opposite with regard to his treatment of the ambassadors or agents who came to this country from the late rajah of Sattarah. So far as he had the means of judging, he must say that towards these individuals, and towards every person connected with India, the right hon. Baronet had always behaved with marked courtesy and kindness. It was not the right hon. Baronet who had dethroned the Rajah of Sattarah. It was the Indian government, with the sanction and approbation of the right hon. Baronet and the Court of Directors: and here he must tell the hon. Member for Montrose, that whether that measure was right or

wrong, it had been approved of by two successive Governors of Bombay—by the Governor-general—by the Council of India—by the President of the Board of Control, and by the Court of Directors. He thought this ought to be sufficient to protect any of those authorities from any hasty imputation of having been guilty of any act of injustice towards the late Rajah. Allusion had been made that night, and on a preceding evening, when he had not the good fortune to be present, to the subject of Indian finances: they had been represented as most flourishing by his hon. Friend the Member for Guilford, while his hon. Friend the Member for Shrewsbury had stated them to be in a state of the most alarming depression, and that the Home Treasury was almost empty. He was glad to see his hon. Friend (Mr. Mangles) in the House, though seated on the opposite benches. He knew that his hon. Friend took a warm interest in the welfare of the natives of India, and was fully informed in all that related to that country, and he must confess his surprise at the opinions he had expressed. But his hon. Friend was rather of an ardent temperament; and enough of the influence of an eastern sun still lingered around him to shed a rosy hue on every object presented to his view; and vivid indeed must be the imagination that could contemplate the treasury of India as overflowing. Nor could he allow it to go forth that the East India Company were on the confines of bankruptcy, that their Home Treasury was empty, and that they had been compelled to apply to the right hon. Baronet at the head of her Majesty's Government for assistance and support. He begged to assure his hon. Friend (Mr. D'Israeli) and the House, that the Court of Directors had made no such application, and had received no such assistance. They had only asked the Government to give them a little of what was their own. They asked for nothing else, and they received nothing else. To shew the folly of making such rash statements, he begged to call the attention of the House to a paper lately laid on the Table shewing the cash balance of the East India Company in this country to exceed 1,600,000*l*. If such were his hon. Friend's (Mr. D'Israeli's) ideas of bankruptcy, they were indeed most eastern. With respect to what occurred on the vote of thanks to Lord Keane and the army, he thought that the

right hon. Baronet had been a little unfair in the inference which he attempted to draw from the unanimity which then prevailed, and he must call to the recollection of the House what passed upon that occasion. The right hon. Baronet must have forgotten that he himself introduced the discussion by expressly excluding from consideration the policy of the campaign. He expressly stated that, no individual, by agreeing to the vote of thanks to the gallant army who had so triumphantly accomplished the object to which their energies had been directed, should be in any manner compromised as approving of the policy of the preceding. Upon such an occasion, and after such an assurance, could any man have been, he was almost going to say, base enough, to have introduced any topic likely to disturb the unanimity that prevailed. The right hon. Baronet who seconded the motion (Sir Robert Peel) was equally guarded in his expressions, so as to protect himself and the House from being in any manner committed as to the policy of the war. Under these circumstances, he would ask if it was fair or candid in the right hon. Baronet to draw the conclusion he had done from what had passed on that debate? Upon every occasion when the Afghan war had been alluded to, either in that House or in the Court of Directors, he had always seen the greatest anxiety manifested by all present not to be implicated in its policy. He had always heard it said:—"In whatever vote we may be called upon to give, be it distinctly understood that we express no approval of the policy of that war." So far as he had the means of judging, he scarcely knew an individual connected with India who approves of that policy, except the late Government and their adherents. These opinions had not been only expressed since the recent disasters. From the time when that ill-fated expedition was first announced, public opinion, both in this country and in India, condemned and reprobated it as most impolitic and unjust. The right hon. Baronet had stated that Lord Auckland could have made out a much stronger case than appeared in his manifesto, issued from Simla. He (Mr. Hogg) hoped that such was the case, for he must declare that he had never in his life read so weak a public document. There was nothing stated in that manifesto to justify the hostile invasion of a neighbour-

ing country—nothing to show the policy of the war, even if its justice could be maintained. It declares that it is desirable to open Afghanistan to British manufactures; that the chiefs had indicated an indisposition to meet our views, and had presumed to enter into friendly relations with Persia, contrary to his Lordship's wishes and orders, and therefore is this unhappy country to be devastated by the horrors of war, and its rulers to be driven from their seats. It is true Lord Auckland talks of establishing a barrier against western aggression; but he must call the attention of the House to the condition of Afghanistan, moral, physical, and political. We might deplore that condition, but the very evils we might lament contributed to render it the best possible barrier between our Indian possessions and the western powers. The climate was subject to the extremes of heat and cold. The soil was barren and unproductive. The country was intersected by stupendous mountains, only to be traversed by passes and defiles, where an invading army must be exposed to absolute annihilation. The people were proverbially faithless, and the political power was divided among various chiefs with conflicting interests. Here, then, were all the elements combined that could render that country absolutely impassable as a barrier, if we had abstained from interference. The only circumstances under which an invading army could traverse it, would be, if the whole country was subjected to the absolute control of one ruler, with whom arrangements might be entered into for its maintenance. While the authority was divided, we were safe—no danger could ever threaten us, unless the country was subjected to the absolute dominion of one chief, and that was precisely the state of things which Lord Auckland wished to introduce. He would not have intruded on the time of the House had he not been connected with the Government of India, and distinctly alluded to by his right hon. Friend (Sir J. Hobhouse); and he begged to thank the House for the attention with which they had been pleased to honour him.

Mr. *Hutt* had paid some attention to this question, and it appeared to him that, whatever opinion might be formed as to the policy of the war in Afghanistan, or as to the expediency of their crossing the Indus, to support the pretensions of Schah *sojah*, there could be no diversity of

opinion as to the fact that the affairs of the East had, in 1838, arrived at a crisis, when it was absolutely necessary that some other policy than that on which they formerly relied should be adopted for the protection of the north-western frontier. He believed, that no one could examine the papers on the Table without coming to the conclusion which his hon. Friend had arrived at, that Russia was actively engaged in measures which, if permitted to be carried out to their fullest extent, would prove fatal to the ascendancy of British power in the East. Under these circumstances, he believed it was the opinion of every individual interested in the management of affairs in India that the time had arrived when some new policy should be resorted to. They had Mr. Ellis, the late Sir A. Burnes, Lord Auckland, the Secret Committee of the East-India Directors, and the late Government, all concurring in the opinion, that unless some new, vigorous, and decided policy was resorted to the power of this country in India would be endangered. His hon. Friend opposite said, if they wished to counteract the designs of Russia, they ought to send a fleet to the Baltic and attack Russia itself. But would such a course prevent Russia's intriguing in Asia, and he begged to remind his hon. Friend that, in advising this, he was counselling nothing less than an European war. So long as there were other means of effecting their object, he trusted that no Government would ever think of incurring all the horrors of an European war. It had been said, that it was the duty of this country rather to support Dost Mahomed than Schah Soojah. But all parties had come to the resolution that it was absolutely necessary for the security of their Indian possessions that they should place on the north-western frontier a power disposed to peace, and to the maintaining undisturbed the integrity of the eastern empire. It was impossible to make choice of Dost Mahomed, because he was opposed to those conditions. He was described by Sir A. Burnes as a man devoted to war—he was enterprising, engaged in the ranks of the enemy, and to have made choice of him would not have been dealing fairly towards their best ally, Runjeet Singh. Under these circumstances, they were justified in displacing Dost Mahomed from the throne of Cabool. The recommendations in favour of Schah Soojah were not, perhaps, of the strongest kind, but any one who heard the speech of the right hon. Ba-

ronet near him must feel, that in restoring Shah Soojah to the throne of his ancestors, they were restoring a man who had a large and powerful party, who was in his habits almost an European, and who was interested in preserving friendly relations with this country. His hon. Friend had adverted to the expense of the war, and to the loss of life caused by it. Unquestionably, this was a great calamity, a calamity which could only be justified by a case of absolute necessity. He believed such a necessity had occurred in the present case, and he believed that the having carried the war into Afghanistan, had been the means of preventing wars in other parts of India.

*Sir R. Peel:* The question upon which the House is now called upon to decide is, whether, in the present circumstances of this country, and of our relations with Afghanistan and India, it is desirable that the papers for which the hon. Gentleman has moved should be produced. I form my judgment on this subject solely with reference to the consideration of what is best for the public interests. I forget all party considerations, all political differences; and the single consideration which influences me is this—what in the present position of Indian affairs is the wisest course for this House to pursue? I come to the conclusion, that it will not, under present circumstances, promote the public interests to produce the papers for which the hon. Gentleman has moved. As an illustration of my meaning, I will direct the attention of the House to our present relations with that great power whose conduct has excited considerable apprehension—I allude to Russia. Full explanations were demanded by her Majesty's late Government with regard to certain transactions on the part of Russian agents, and those explanations were frankly afforded by the government of Russia. The papers containing those explanations have been laid on the Table of the House; and I may observe that, however suspicious may have been the conduct of Russian agents, and I admit that that conduct warranted some suspicion, and that it required explanation—there has been, on the part of the Russian government, a distinct disavowal of that conduct; one of the agents has been recalled, and a positive assurance has been given, on the part of the Emperor, that he has no wish to disturb British supremacy in India, and that he desires to maintain with us a good under-

standing with regard to the affairs of Persia. These sentiments, on the part of the Emperor of Russia, were conveyed to us by Count Nesselrode and Count Pozzo di Borgo. The noble Lord opposite, in a letter, dated December 20, 1838, referring to the communications made by Count Nesselrode on the part of the Russian Government, said, that the despatch communicated by that nobleman expressed the desire of the Russian government to co-operate with the Government of this country in reference to Persian affairs. The despatch contains the most full and complete assurance on this point; and the papers produced by the noble Lord state, that her Majesty's Government accept as entirely satisfactory the declarations of the imperial government that it does not harbour any design hostile to the interests of Great Britain and Ireland. When the noble Lord stated, that her Majesty's Government accepted as satisfactory the declaration of the imperial cabinet, it must be inferred, that the noble Lord placed confidence in that declaration. As far as I can bear testimony to the conduct of that great power, its acts have been in entire conformity with the declarations to which I have referred. No act has been done by Russia, with reference to her relations with Persia, and especially with reference to our relations with Afghanistan, since the reception of the recent disastrous accounts, which I have not every reason to believe is in strict and precise conformity with the declarations of her Majesty's Government. Whatever may be the conduct of Russia, I believe that the Governments of England and of India are sufficiently powerful to protect themselves. I do not think, that we are, as a nation, dependent on the co-operation and good faith of Russia or of any other power; but it is right to bear testimony to the facilities we have enjoyed in consequence of the good faith observed by Russia, and to declare publicly in the face of Europe, that it is impossible that any power could have acted with more strict good faith and more friendly feeling than have been evinced by Russia with reference to Persia and Afghanistan. A most cordial understanding subsists at this moment between the Government of this country and the Government of Russia. With reference to this subject, and founding my opinion on practical evidence, I will venture to say, that Russia is prepared to give proof of her good wishes, and of her desire to promote the maintenance

of British supremacy in India. This being the case, can I reconcile it with the public interests to bring forward papers which might have reference to a different state of things? If there be such evidence of good faith—such proof of cordial good-will—would it be wise in us to disturb this good feeling by producing documents which might intimate the existence at a former period of a different state of things? I do not think, that in the present state of our relations with Afghanistan, the production of the papers for which the hon. Gentleman has moved would promote the public interests; and, looking solely and singly to public interests, I must oppose the motion. The same principle upon which I have acted with regard to the production of these papers must also regulate my course with regard to this discussion. I stand in a position very different from that of the hon. Gentleman who proposed this motion. I am an actor in these scenes, charged with great responsibility, and desirous to bring the matter to a satisfactory conclusion; and I think, as the representative of her Majesty's Government in this House, that it would not be advisable to enter fully and unreservedly into a discussion on this question. What are the circumstances under which I should address the House? We are acquainted with the misfortunes which have befallen our troops at Ghuznee, but we are uncertain as to the fate of the garrison of that fort. We are also in a state of uncertainty as to the position of our troops in Candahar. Is this then a time at which a Minister of the Crown can enter into a full and unreserved statement on these subjects? I may at the same time observe, avoiding all discussion as to matters on which caution is necessary, that I cannot entirely concur with the hon. Gentleman in his views of Indian affairs. Whatever Lord Castlereagh may have said in 1820—whatever may have been the embarrassments of the finances in India at former periods, which it has been able to recover, I cannot but think that the question of Indian finance is a subject of the utmost importance. Sir, I made no exaggerated statement with respect to India; I am afraid I said nothing more than is strictly borne out. I look at the last official account which has been made up, and which I believe rests on the highest authority; and I find that in 1835 the Indian Government had a surplus revenue of 1,500,000*l.*, which was reduced in 1836 to 1,100,000*l.*; that was reduced

to 650,000*l.* in 1837 and 1838; to 238,000*l.* in 1838 and 1839; and in 1839 and 1840 the change was from a surplus revenue to a deficit of 2,414,000*l.*; in 1840 and 1841 to a deficit of 2,324,000*l.* The expense of the annual charge, including the interest of the debt, was in 1835, 15,766,000*l.* I believe the hon. Gentleman (Mr. Mangles) will find that the total charges, including the interest of the debt, in 1839 and 1840, amounted to 18,615,000*l.*, and in 1841 to 19,339,000*l.* I am afraid that my right hon. Friend will find, that that is the state of Indian finance; and, considering the importance of equalising the income with the expenditure in a state of general peace, recollecting that in India there is no Income-tax to resort to, and from what sources taxation must there be derived, how hardly it must press upon the cultivators of the soil, and what effect it must have on your hold of Indian opinion, I cannot help thinking, that Indian finance at the present time—whatever may be the case at other times—is a matter of the utmost interest. And when I see a gradual advance in expenditure from 15,700,000*l.*; to 19,300,000*l.*; and within the period of seven years a surplus of 1,500,000*l.* converted into a deficit of 2,400,000*l.*, notwithstanding the strong views of the hon. Gentleman, I still adhere to my opinion, that Indian finance is not in that satisfactory state he described. Now, with respect to the advance of our power in India. I don't understand the hon. Gentleman's (Mr. Baillie's) argument. He speaks of the valour and success of our forces, at the same time he leaves the policy of our advancing untouched. The right hon. Gentleman refers to the policy of hanging some persons. I don't understand the application of this circumstance to the subject under discussion. From the known humanity of my noble Friend, I am certain that such rigorous examples were perfectly justifiable; but the bearing of that argument, and what it has to do with the policy of our advancing across the Indus I don't see. And with respect to the tendency of the Indian empire to extend itself, I am afraid there is much truth in the observation, that between civilised nations and nations very much their inferiors, there is a great tendency in the former to extend their empire in order to give security to what they possess. But still you cannot push that argument indefinitely; you must always inquire whether the policy of any war is advisable. I presume

you cannot push that argument so far as to justify the expedition against Khiva, or the occupation of Bokhara. The policy of each particular war must always rest on its own special grounds; and the policy to which the right hon. Gentleman refers won't vindicate the general principle of the universal extension of our dominion. On a former occasion, I deprecated the declaration of the hon. Gentleman that he would not vote a single shilling to push the war in Afghanistan. I deprecated that as too hasty a decision. On the other hand, I don't wish to pledge myself that Lord Auckland's policy must be strictly adhered to—that must have reference to the experience we acquire in the intervening period, and on the change of circumstances that have occurred, I wish to give no opinion whatever. Considering the distance we are from that country, and the uncertainty we labour under as to events, it is unwise to pledge ourselves to any particular course respecting the policy to be pursued in Afghanistan. I trust, that in any course that her Majesty's Government may pursue, they will not forget to insure that the honour of the British arms shall be fully maintained, and that no instances of gross treachery and perjury shall pass altogether unpunished. With respect to this disaster—I will not conceal my opinion, it is a great military disaster; but we are strong enough to repair it. It is not a disaster to shake our dominion in India. It is impossible to see the examples of valour and fortitude which this disaster has called forth, and permit ourselves to despair. Is it possible to think of the persevering valour and endurance of Sir R. Sale, and I must say, to witness the heroism of that lady of whom we have heard so much, and to think of the effect of that example, and permit ourselves for one moment to be cast down and dispirited? Our reverses are great, but they are not worse than reverses we have met with before; and I have the greatest confidence in the proved valour and fortitude of the British arms that these disasters will be so far repaired that they will not, in the slightest degree, shake the confidence of the people of England in our supremacy, in which I trust their confidence will never be shaken. As I said, I proposed to avoid the expression of any opinion; but I cannot but acquiesce in the fairness of the quotation which the hon. Gentleman has made of my former statement. The right hon. Gentleman, referring to my declaration on the Queen's

Speech, in 1839, observed, that all I said on that occasion was, "I viewed the proceedings in India with great anxiety." I don't think any public man speaking on such a declaration—considering, of course, that subsequent events were quite unknown—ever showed more foreboding as to the consequences of the policy then pursued. I am afraid, I did not limit myself to expressions of anxiety. On this, the first intimation of the policy of Afghanistan, the words I made use of were—

"He would next advert to a subject of far deeper interest, to a question which had for too long a time escaped the attention of that House—to the subject of the British empire, and the British interests in India. When they considered the immense importance of diverting the attention of the inhabitants of India from war, and of teaching them the acts of peace, and when they contemplated the evil consequences of a great financial expenditure, imposing the necessity for an additional taxation, he was bound to say, that he could not consider this question without the greatest anxiety."

That was on the policy of this war. I said, referring to part of the statement of the Governor-general, that

"The Governor-general confidently hopes, that the Schah will be speedily replaced on his throne by his own subjects and adherents, and when once he shall be secured in power, and the independence and integrity of Afghanistan established, the British army will be withdrawn. Now, he should require that the fullest information should be laid before the House on this subject. Here was a sort of guarantee given by the Governor-general, that the British army would not be withdrawn until Schah Soojah-ool-Moolk should be restored. That prince was deposed from his throne in 1809, and had been kept out of it ever since, though on one occasion he had endeavoured to recover his authority, at the head of an army of 20,000 men, and failed. Yet this was the prince whom the British Government in India was about to restore by the aid of an immense and most expensive military force, and when restored, no doubt another British force would be required to keep him on the throne. The principle was the same in the attempted restoration of the Schah Soojah as it would be in the attempt to restore Charles 10th to the throne of France, with this difference, that the Schah had been thirty years dispossessed of his throne."

This was what I stated in 1839. I think I can hardly be charged with having expressed perfect satisfaction with the proceedings which had taken place. At least, I think that in 1839, before the events which have since occurred were



known, I sufficiently showed, that I had great misgivings, not to say more, of what might be the event of the policy which was then under consideration. The right hon. Gentleman says that, after giving notice of a motion on this subject, I abstained from pressing it; but I don't think that fact is quite conclusive against me, or that it justifies the right hon. Gentleman in saying that I then approved of the policy of the late Government in this matter. After you had decided finally on the course you would adopt—after you had determined to support Schah Soojah on the throne of Afghanistan, and after a considerable time had elapsed—and considering that this determination had been taken with respect to a policy to be pursued at a distance of so many thousand miles from this country—I think it will be apparent to every unprejudiced person that there might have been reasons for not pressing that motion which would not apply to the case of measures carrying on nearer home and under other circumstances. The right hon. Gentleman says, also, that I seconded a vote of thanks from this House to Lord Keane. I certainly did second that motion; but nothing could be more distinct from approbation of the policy of the war than the terms I then used. The moment of success was not at a time at which it would have been fitting to have gone into the question of that policy; but even in the moment of success I was careful not to say anything to imply our approbation of the military policy of the Indian government. Then, with respect to the present time, I quite admit that this is not the moment to make positive expressions of opinion with respect to that policy. Even now, I have not expressed a more strong opinion than I expressed then. I should think that I violated my duty as a Minister of the Crown if I had not at once stated to the House that, looking to considerations of public policy, and whilst a treaty is pending, I had determined not to produce the papers for which the hon. Gentleman has moved. The same considerations of public policy also prevent me from entering upon the discussion of the general question, and oblige me to confine myself strictly to the limits which I have marked out.

Viscount Palmerston: I quite agree with the right hon. Baronet, that it is inexpedient that the papers should be produced, and I agree with him also in the reasons he has stated for not producing

them. It must be inexpedient, when England has been for some time on terms of perfect good understanding and cordiality with Russia, that we should go back to transactions which occurred under different circumstances and when we were on a very different footing. I am happy to hear the right hon. Baronet state that the friendly feeling which was happily established at the time when we retired from office, has been continued to the present moment. I am glad also to learn, that the government of Russia has shown, in regard to the events in Persia and Afghanistan, the same amicable disposition, perfect honour, and unimpeached good faith, which, I am bound to say was shown by that power from the moment when mutual confidence was established in the later period while we had the honour to hold office. I think the right hon. Baronet fully justified by the reasons he assigns for not producing the papers, and I think he has acted with judgment in refraining from being led into a detailed discussion; though he did not express it in so many words, he implied, I think, some slight degree of disapprobation of the discretion evinced by the two hon. Members who brought forward and supported the motion, and even of the particular moment when they introduced these transactions to the notice of the House. The hon. Member for Shrewsbury accused the late Government, and myself especially, of having in the conduct of our foreign affairs, exhibited at one time a blameable supineness, and at another what he had pleased to call a terrible energy. With regard to the matter of debate, I must say that one of the hon. Members seems to me, during the last three years, to have himself exhibited if not blameable, very extraordinary supineness, though I cannot accuse him of having followed it up on the present occasion with any very terrible energy. I am not aware whether the other hon. Member was in Parliament during that period; but if they formerly entertained the same opinion of the policy of these great transactions which they have this night expressed, it is somewhat singular that during the last three years, they have not found an opportunity of giving vent to their censure and indignation. They never called upon Parliament to declare its disapprobation until the present moment. Was it that, when public attention was engrossed by the brilliancy of success, and the tide of opinion was setting strong

in our favour, that they had not the moral courage to step forward. Was it that they waited until temporary disaster, unconnected with the policy of the war, had excited public feeling, before they ventured to pronounce those opinions which, it seems they have all along entertained. If such has been their course, and such their motive, I must say that it does display a want of moral courage, and a shrinking from the discharge of a public duty, which they will find some difficulty in justifying to the country. Let it be recollected that opportunities were not wanting; my right hon. Friend has enumerated various occasions on which the notice of the House might have been directed to the question. We are not indeed entitled to say that those who remained silent therefore approved; that would be to strain the inference from silence beyond its legitimate extent, but I may say that the silence of the hon. Members showed that they did not think that there existed such a case against the Government as would enable them to carry public opinion with them. At least, they despaired of persuading the House of Commons to express its disapprobation on the subject. On the various occasions of speeches from the throne, and of votes of the House, why did not the hon. Members who have this night stood forward to bring the matter under discussion, invite Parliament to express its opinion? The right hon. Baronet stated, that while operations were going on at a distance of many thousand miles, and when a treaty had been concluded, was not the fit time, with a view to the public interests, for introducing the subject; but as to the treaty, every man must know that it would not have been the first time that Parliament has been called upon to express its disapprobation of an engagement injurious to the public interests. There was nothing in the mere fact of a treaty which should prevent its being brought under the consideration of the House; and as to the distance of the operations, the much greater remoteness of those in China did not prevent the right hon. Baronet from bringing recent events in China before the House. I am, therefore, entitled to infer that the right hon. Baronet was not influenced, by treaty or by distance, either in the notice which he dropped, or in that which he introduced: he did not think the case in which he abstained was one in which he had a fair prospect of inducing the House

to come to a vote in opposition to the policy of the Government. The present time, I contend, is not that which, as the right hon. Baronet remarked, could be judiciously chosen for a motion like that before the House; because the discussion relates to a period when our relations with a great power, now established on the most friendly footing, were of a very different character. The hon. Members are necessarily driven to advert more particularly to transactions which were connected with the discordance which then existed between the Governments of England and Russia; at the same time, I really feel that there is no difficulty in the matter, because, for argument's sake, I will take the ground laid down by the right hon. Baronet. I will assume, that which we are bound to assume, that the statements made by the Russian government are perfectly correct. Their agents, knowing that a bad feeling prevailed between the two powers, exceeded their instructions, and without authority, entered into those communications and intrigues which excited jealousy and uneasiness on the part of the Indian Government. But we will take a different case—we will suppose, that the two governments had been in actual and deliberate hospitality; if the agents, acting without authority, were able to produce such effects, how much more powerful would their influence have been in disturbing our Indian possessions, if they had acted under the full sanction of Russia—with all the weight and power which that empire might have put forth in the places where its agents were located? Therefore, even in the case which we are bound to take, we see the absolute necessity of establishing a defensive barrier, which was the object this country had in view. We are told, that this question is to be decided very much by authority, and great stress has been laid upon the unfavourable opinions of persons of competent local knowledge. It has been said, that Sir Alexander Burnes was adverse to our policy; that Sir Henry Fane was also adverse to it. The last has been introduced to us as a great military authority, as he undoubtedly was, but his military qualifications do not seem necessarily to show that he was equally competent to decide on a question of policy. The hon. Member did not quote any opinion of Sir H. Fane as to the impracticability of the operations, but as to the impolicy of the plan. [Mr. Baillie: I used Sir H. Fane's w-

thority in a military point of view.] So be it; but if there ever was a case in which the current of authority ran one way, it is this case. As my right hon. Friend stated, you have the Government at home acting upon its own view of all the circumstances connected with the foreign relations of the country; and you have the Governor-general of India acting upon his view, and with his local knowledge exactly in accordance with the Government at home. Without the slightest communication or concert they both arrived at the same conclusion, and at the same moment. They agreed, that this course was necessary for the defence of our Indian possessions. I say for the defence of our Indian possessions, because, when we are told that the war was undertaken with a view to European interests, I utterly deny the position. If we had no empire in India, we might have been perfectly indifferent whether Persia succeeded, or did not succeed, against Afghanistan. The course we pursued was entirely with a view to the security of our Indian empire; and it was not a European, but entirely an Indian question. First, in 1836, we had the opinion of Mr. Ellis, a man of great sagacity and acquaintance with Eastern affairs, who had been in Persia, and, I believe, in India. His opinion was most unequivocally, that it was attended with the utmost danger, that Persia should exercise such power and influence in Afghanistan. Next to Mr. Ellis comes Sir John M'Neil, who at first did not think the danger so great as he afterwards believed it, when he had concluded his negotiation with Persia. He then discovered that the Persian government had not a shadow of justice on its side; and that the mere object of the war was aggrandizement, full of peril to our Indian possessions. My right hon. Friend also produced the authority of several other distinguished men, and in the papers before the House we find the most decided opinion by Sir A. Burnes, in favour of the movement which was undertaken. In opposition to that opinion, we are told to set the private communications of the same gallant officer. Perhaps I also could quote private communications from Sir A. Burnes, in direct confirmation of his opinion, as expressed in the printed papers. I have in my hand two private letters from him, one dated the 4th, and the other the 26th of August, 1838, from which I am permitted to read two passages. Sir A. Burnes is represented as thinking that we were enter-

ing upon a dangerous system, by advancing too far from our frontiers and resources, and this is what I find under his hand, in a letter of the 4th of August:—

“ I have great hopes that our army will march from Candahar to Herat, and think the Ameer will evacuate Cabool, which will enable us to do so.”

In his letter of the 26th of August, Sir A. Burnes uses the following expressions:—

“ We shall probably get Sultan Mahomed Khan out to Shikapour, to assist in securing Candahar, but he will not be listened to in his objections to Shoojah-ool-Moolk—they are untenable. I have seen such papers since I arrived here that I could even prove to you how critical is this crisis.”

I beg to direct the attention of the hon. Member for Shrewsbury to what I am about to read; he treated with the greatest contempt and ridicule the apprehensions about the Birman empire and Nepaul, in consequence of the movements in Afghanistan, but what says Sir Alexander Burnes?—

“ If it only concerned Barukzies and Saduzies, we might hesitate in ejecting the former; but affairs in Ava, in Nepaul, and in the Decan, demand that we should set our house in order quickly, and hence the change from a tame to an active policy.”

This from a person supposed to disapprove that policy; and what does Sir Alexander Burnes add:—

“ Lord Auckland hesitates a little in the first move, but I predict that his hesitation will be of short duration.”

I say, therefore, that all persons who were qualified to form a sound opinion, thought that immediate measures were necessary, with a view to secure Afghanistan for British interests. The fact is, that for a great number of years we regarded Persia as a barrier for our Indian possessions; but of late her policy has changed, and since the accession of the present Shah the relations between England and Persia have altered, and we have seen Persia disposed to extend her frontier. For a long time we refrained from interference, but at length it became necessary, from the determination on the part of Persia to incorporate Afghanistan in her system of government. It was then the obvious duty of those who had the charge of affairs, to take vigorous measures that Afghanistan might be secured in our favour, instead of being hostile to our interests. Now, Sir, it was thought by many to be an adven-

turous attempt, and, in a military point of view, it was looked upon as extremely difficult. But, Sir, there never was a military operation carried on in a part of this country in which there were so many difficulties which have been followed by such easy and complete success. Three years had nearly elapsed since that expedition was undertaken; during those three years no disaster happened. At last a great disaster did happen, no doubt. Into the causes of that disaster I will not now enter. They are matters of inquiry before competent parties elsewhere, and it would be unjust and unfair in me to fix blame upon any one. But I may say that this disaster had no more to do with the original policy of these measures, than the wreck of a line-of-battle ship, if we had sent out an expedition three years before, and the line-of-battle ship should be lost unexpectedly in a gale of wind. It would be no proof that the policy of the expedition was not sound and judicious. I agree, Sir, with the right hon. Baronet opposite (Sir R. Peel), and with those who have spoken on this side of the House, that there is no reason to imagine we shall not be able to recover in Afghanistan the same position as we occupied before the disaster happened. To allow any thing like a feeling of despondency to take possession of our minds on account of this temporary misfortune, will be to show ourselves not only unfit to deal with great national concerns, but also with human affairs. I am satisfied, Sir that the measures taken by the Indian Government will soon place Afghanistan in the situation in which it was last year. It has been said that we ought to go there only for the purpose of punishing perfidy, or for the sake of revenge. I hope that no such feeling will actuate us in our march to regain our station in Afghanistan. I trust that possession will not be taken for that purpose. I should be sorry to see the British arms proceeding to injure the innocent, for the guilty will be certain to escape, marking our advance by the effusion of blood, which will track the course of an army of retribution. I can understand that this is a great disaster, to which the country cannot submit; that it is necessary to re-establish a commanding position. I can conceive that for this purpose great expence will be justified, and great efforts required. I can conceive a Government saying that this was necessary for our empire in India, to regain our position; but, if we do regain it, I hope it will not be, as has been

recommended by some hon. Members, merely to abandon it again. The right hon. Baronet has very properly abstained from saying any thing from which the House can infer what the future policy of the Government in Afghanistan will be. I concur, however, with my right hon. Friend in saying, that the Ministers will be bold, indeed, who having in charge the interests of the nation, and having the defence of our great Indian empire entrusted to their hands, shall dare to take any steps to endanger that empire, or to deprive it of those defences and barriers which their predecessors established in the east. The right hon. Gentleman the Chancellor of the Exchequer, seems to think that these are matters to be treated with great levity. He is only looking, probably, to his financial arrangements, and is perfectly indifferent to what may happen in the colonies, or in our eastern empire. I recommend the right hon. Gentleman to consult the map, and to make himself a little acquainted with the nature of the country. Let him bear in mind the graphic description made by the hon. Member for Beverley (Mr. Hogg) of the barrier which, in our hands, would make us unassailable, and which, in the hands of an enemy, would expose us to attacks which it will be difficult to resist. I think that, if the right hon. Gentleman would study under his own Friend, he would find that there is something like a barrier in Afghanistan to our Indian position. And here, Sir, I should have concluded what I have to say upon the present occasion, for, after the able and convincing speech of my right hon. Friend, there remains nothing to add to the statement which he made, if it were not for two or three of the concluding sentences in the speech of the hon. Member for Shrewsbury (Mr. D'Israeli). Not content with the wide range which Indian affairs might have afforded to his fancy, the hon. Member finished by a sweeping condemnation of the conduct and policy of the late Government. He declared it to be unattended with success, and he declared it to be a system which was at one time too servile and at another time too active. It had, therefore, incurred the misfortune of his displeasure. I will not, Sir, at this late hour of the night detain the House by going into a defence of the policy of the late Government. At least during the ten years in which we had the honour to conduct the affairs of this country, we were able to maintain that European peace which

all parties—no, not all, but which most desired. I will not say all, because the hon. Gentleman thinks we ought to have gone to war with Russia to preserve Persia from attack. We maintained a European peace without any sacrifice of British interests, without any derogation from British honour; and I think that the consideration in which England was held was, at least, as high when we left as when we succeeded to office. We maintained a European peace, although we were engaged in great and important transactions. In all these transactions England took a prominent and active, nay, I may say, a leading part, and almost all were concluded in accordance with the view which the English Government had taken when they first entered upon them. With regard to Belgium, with regard to Portugal, with regard to Spain, and with regard to eastern affairs generally, the hon. Gentleman may or may not have thought our views to be right; but this at least he cannot deny, that we took a leading part in all those transactions, and that the views we took were the views into which these transactions ultimately directed themselves. Therefore, whether in the opinion of the hon. Gentleman we exercised too much forbearance at one time, and were too active at another, he may approve or disapprove of our policy, yet he cannot deny that it was attended by almost invariable success. The hon. Gentleman may think that it was not expedient that Belgium should be erected into an independent kingdom. He may concur in the opinions of a noble Friend of his, who is not now in the House, and who treated with much ridicule what he called the little experimental monarchy of Belgium. A more prosperous and more happy country does not exist in Europe. The hon. Gentleman may think it better that Portugal should be under the government of Don Miguel and an arbitrary sovereign, than under Donna Maria and a free constitution. Yet that is not the way in which the people of Portugal think or speak. The hon. Gentleman may think that Spain should be ruled by Don Carlos and the Inquisition, rather than by Isabella and the Constitution. Even the right hon. Baronet the Member for Tamworth bore testimony to the rapid advance in industry, tranquillity, and civilization in that country. The hon. Gentleman may think that the peace of Europe should be exposed to almost daily danger from the state of affairs in

Syria, rather than be placed in a situation in which the Government boasted that the five powers were agreed, being determined to preserve its integrity. All this may be the opinion of the hon. Gentleman but I am inclined to believe that the country at large does not participate in his opinion; and I believe on the contrary that the way in which we conducted the foreign affairs of this country has given satisfaction to the public at large. I do not mean to refer to those instances in which not only did we preserve peace ourselves, but in which we interposed and arranged the quarrels of other countries; but I must recall to the hon. Gentleman's knowledge one instance which he noticed himself, and in which he considered that we had fully established peace. The particulars were told by the hon. Gentleman, not in these very words; but this is the result of his statement. He said that such was the feeling of the justice of the British Government, and such the opinion of our desire to promote peace and to be the party to conciliate others who were disputants; such was our desire that peace should abound throughout the world that no sooner had our consul reached New Grenada, one of the states in South America, the capital of which was 500 miles from the sea-shore, than the ship was boarded by two impatient deputies, who, having opposed themselves in a quarrel, found they had no chance of settling their disputes, and came to ask the mediation of the British consul to restore peace between them. I feel obliged for the good opinion entertained by the hon. Member of the Government after he heard that that negotiation was altogether successful, and that that was a case in which the Government was able to preserve peace, and to prevent the calamities of war. Whether the present Government do or do not adopt the course which the hon. Member fears they will, of saying that they will follow more or less the path of their predecessors, I know not; but of this I am sure, that the whole of the country, all the other nations and governments of Europe, and an impartial posterity, will do us the justice which he seems disposed to deny us. As I have already said, I think the production of these papers unnecessary. We rest our defence on the papers which we presented to the House; we think that they contain a case which fully justifies the measures which the Government here on the one

hand, and the Governor-general on the other hand, simultaneously determined to adopt. That we did not give all the papers which we received from our different agents I never attempted to deny: no Government ever does or ever can give *in extenso* the despatches of their agents; and if they did so, the agents would cease to write despatches which would be worth receiving. We gave those which we were content to make public, and by those papers of course we are prepared to stand. But I must say that it is rather ungrateful for hon. Gentlemen on that side of the House to reproach us for having been niggardly of our diplomatic correspondence: for I believe that there never was a government which laid so many diplomatic papers before Parliament. Some they volunteered to produce—some they were asked to lay on the Table, and the complaints were, not that we laid too few papers before Parliament, for the right hon. Baronet will remember the sad complaints and heavy lamentations which he made at the mass of papers which were produced but too many. We laid more papers before Parliament on these subjects than any other Government ever did, and we displayed no disposition to withhold from Parliament any diplomatic correspondence which might be produced. I do not think that the present Government feel disposed to follow our example—they may be stronger in their means of resistance than we were, but I can only say that I hope they will follow our example; that they can produce for all the things which they do, or do not do, such good reasons as I think we have produced for all the things which we did; and when they go out of office some few years hence, I trust that I shall be able to congratulate them upon going out with minds as light and as easy, with regard to their past conduct, as I can assure them ours are.

Mr. Hume said, that he should hardly have been disposed to trouble the House at this late hour, but for the observations of the noble Lord at the conclusion of his speech; but he could not help thinking that no foreign minister had ever meddled with so many things with which he had nothing to do. His complaint was, that so far from the noble Lord having produced too much, he had laid nothing on the Table. The noble Lord said, "We have made out our case." This was true, no doubt; and with the power of selecting from the correspondence such matters only as the noble

Lord felt disposed to produce, that was an easy task. He said, however, let him have a committee to inquire into the nature of the correspondence, and he would leave the House to see how far the noble Lord had in reality given the country the information to which they were entitled. It was his intention to support this motion. He agreed with the right hon. Baronet that this was not a time to discuss Lord Auckland's policy, for that they ought not now to do any thing which should tend to check the energies of the Government. He believed that the expedition had been carried on contrary to public opinion in India, and he believed also that when the first step was taken in this affair, the Government of India had had no intention whatever of increasing its territory. A noble Lord, not now in his place, had accused the Government of promoting war. Captain Burnes, however, had gone to Afghanistan commissioned to promote the interests of British commerce; and it was only in consequence of the new state of things, produced by the breaking out of war in Cabool on the day before his arrival, when Russian interference was brought under his notice, that his position was altered. With that circumstance before them, it was highly important that the House should see what had been his real opinion upon this matter. He complained that Captain Burnes's despatches had not been fully laid before the House; that when he had written, expressing an opinion unfavourable to the proceedings of the Government, his opinions had been suppressed, and that portions only of his correspondence had been produced. All the details were omitted, and that the suppression was unfair to the House. Every thing which told in favour of Captain Burnes, or which disclosed his real opinion, was omitted; and he thought that circumstance a sufficient reason for acceding to this motion.

Lord John Russell begged to assure the hon. Gentleman who had just sat down, that so far as the late Government were concerned, they had no objection to the production of any of these papers. The right hon. Gentleman opposite had made an objection to their production, because differences existed with Russia at the time those communications took place. Those differences had been since adjusted. A union and concurrence of sentiment now existed with the court of Russia, and therefore the Government considered it not expedient to

produce the whole of the papers. He agreed in the general reasoning of the right hon. Gentleman, and therefore he was quite willing to concur that the papers should not be produced. But he repeated, so far as the late Government was concerned, they had no objection to the production of the papers. The hon. Member for Montrose charged the late Ministers with suppression; but the hon. Member could hardly desire that a mass of papers of a public nature should be produced without selection or consideration of what were likely to throw light upon the subject. Produced in that way, hon. Members would find it very difficult to make use of them. The hon. Member complained that some of the opinions of Sir Alexander Burnes were not given, and seemed to imply that the suppression was all of passages which related to one view. He forgot to mention that a long answer of Sir William M'Naghten's was also suppressed, though containing arguments which might appear as sound to others as those of Sir A. Burnes did to the hon. Member. After the speeches of his right hon. and noble Friends, it was not necessary for him to go at any length into the question. With respect to the conduct of the Governor-general towards Dost Mahomed Khan, its grounds appeared to him to be very clearly stated in a minute of the 12th of May, 1838. One hon. Member opposite said, that they ought to have selected Dost Mahomed instead of Schah Soojah for their ally, but the hon. and learned Director (Mr. Hogg) said, that they ought not to have allied themselves with either, that they ought not to have interfered at all. That was a large question of policy, and he would not discuss it now, but he referred to this, to show what different opinions were entertained with respect to what ought to have been the proceedings. For his part he, with regard to the whole affair, never imagined that in this country he could be so capable of forming an opinion as Lord Auckland, who had under his view full information relative to all the affairs of India. But the reason which Lord Auckland gave for the alliance which he preferred, appeared to him perfectly correct. With regard to the proposal of the hon. Director, the Member for Beverley, not to interfere at all, he thought the consequences of that policy would have been, that before long, we should have seen the whole of Afghanistan united with Persia, and ready to join any enemy who might

appear against the British territory in India. The hon. Gentleman left it to be inferred, that the Court of Directors were opposed to the war in Afghanistan. But he should recollect, that the foreign policy was managed by the secret committee, who were the best judges of such matters, having full information before them. Questions of finance, of commerce, or legislation, might very properly come before the Court of Directors; but the secret committee was specially appointed for watching questions of foreign policy, and that secret committee entirely agreed with his right hon. Friend, the late President of the Board of Control, with Lord Auckland, and with the late Cabinet, with respect to the policy to be pursued. With respect to Russia, she had disavowed the proceedings of her agents, and had agreed with us with respect to the policy to be pursued towards Persia. Such being the case, it seemed to him strange, that any one who thought that they ought not to have defended themselves when menaced—that they ought not to have protected their possessions—should afterwards unite them, as it seemed to have been intimated on the other side, to engage in an European war with Russia, just when complete satisfaction had been given, and past misunderstandings set at rest. He would only say, in conclusion, that he was glad, after all they had heard—after hon. Gentlemen had waited to make an attack till a cloud of misfortune had darkened our triumphs in India—after they had abstained from opposition during the time of prosperity, and taken all the advantage which must attend reverses—after they had seized such an opportunity of attack, like a vulture assaulting a fallen and wounded soldier—he was glad to find that the case they had made was so utterly weak, and he thought its failure must convince the House of the policy of the proceedings that had been adopted.

Mr. *H. J. Baillie* shortly replied. He would not press his motion to a division, as the right hon. Baronet objected to produce the papers on the ground that their production would be detrimental to the public service.

Mr. *Hume* objected to the motion being withdrawn, and the House divided:—Ayes 9; Noes 75:—Majority 66.

*List of the AYES.*

Bernal, Capt.  
Bowring, Dr.

Brotherton, J.  
Cobden, R.

Duncan, G.  
Duncombe, T.  
Ewart, W.  
Hume, J.

Wallace, R.  
TELLERS.  
Baillie, H. J.  
D'Israeli, B.

### List of the NOES.

Ainsworth, P.	Herbert, hon. S.
Allix, J. P.	Hobhouse, rt.hn. Sir J.
Baring, hon. W. B.	Hogg, J. W.
Baring, rt. hon. F. T.	Hornby, J.
Baskerville, T. B. M.	Hussey, T.
Bateson, Sir R.	Hutt, W.
Blackburne, J. I.	Jackson, J. D.
Blake, M. J.	Jocelyn, Visct.
Broadley, H.	Jones, Capt.
Brodie, W. B.	Layard, Capt.
Buller, E.	Lekh, G. C.
Busfeild, W.	Lincoln, Earl of
Campbell, A.	Litton, E.
Colborne, hn. W. N. R.	Lockhart, W.
Corry, rt. hn. H.	Mackenzie, W. F.
Craig, W. G.	Maclean, D.
Cripps, W.	McGeachy, F. A.
Darby, G.	Morris, D.
Dawnay, hon. W. H.	Mundy, E. M.
Denison, E. B.	Nicholl, rt. hn. J.
Dickinson, F. H.	O'Brien, J.
Douglas, Sir C. E.	O'Connell, M. J.
Easthope, Sir J.	Ogle, S. C. H.
Eastnor, Visct.	Owen, Sir J.
Eliot, Lord	Palmerston, Visct.
Elphinstone, H.	Peel, rt. hn. Sir R.
Ffolliott, J.	Phillips, M.
Forbes, W.	Protheroe, E.
Forster, M.	Rashleigh, W.
Fuller, A. E.	Rushbrooke, Col.
Gladstone, rt. hn. W. E.	Sheil, rt. hn. R. L.
Gordon, hon. Capt.	Smith, rt. hn. R. V.
Goulburn, rt. hn. H.	Sutton, hon. H. M.
Graham, rt. hn. Sir J.	Thornely, T.
Greene, T.	Wawn, J. T.
Grogan, E.	Wortley, hon. J. S.
Hamilton, W. J.	TELLERS.
Heathcoat, J.	Fremantle, Sir T.
Henley, J. W.	Pringle, A.

**BONDED CORN.]** On the motion of Mr. *Gladstone*, the House resolved itself into a committee of the whole House. In committee the right hon. Gentleman proposed the following resolution:—

“That it is expedient to permit foreign wheat to be delivered, under certain regulations, from the warehouse or from the ship, duty free, upon the substitution into the warehouse, or the delivery for exportation, of equivalent quantities of flour and biscuit.”

Resolution agreed to.

The House resumed.

House adjourned at a quarter to two.

### HOUSE OF LORDS,

Friday, June 24, 1842.

**MINUTES.]** *BILLA. Public.*—2<sup>o</sup> Slave Trade Abolition (Argentine Confederation); Slave Trade Suppression

(Haytl); Slave Trade Treaties; Salmon Fisheries (Scotland, No. 2).

*Committed.*—Public Houses; Testimony Perpetuating. 3<sup>o</sup> and passed:—Copyright; Assessed Taxes Composition.

*Private.*—1<sup>o</sup> Leicester Small Debts; Leeds Improvement; Jackson's Divorce.

2<sup>o</sup> Deptford Pier; Stourbridge Road.

*Reported.*—Liverpool Improvement; Lord Sherborne's Estate; Gibson's Estate; Tadcaster and Otley Road; Thames Haven Dock and Railway; Liverpool Poor; Earl of Devon's Estate; Cambulange and Muirkirk Road.

3<sup>o</sup> and passed:—Stockton and Hartlepool Railway.

**PETITIONS PRESENTED.** By Lord Brougham, from St. John's, Newfoundland, for a Constitution.—By the Marquess of Londonderry, from Coal Owners of Northumberland, and Durham, to Investigate the Employment of Children in Mines, and complaining of the Commissioners Report.—By the Earl of Clancarty, from Cragh, and Killelooney, and from the Committee of the Clonfert Diocesan Society, for the Encouragement of Schools in connexion with the Church Education Society (Ireland).

**NEWFOUNDLAND — CONSTITUTIONS FOR THE COLONIES.]** Lord *Brougham* had to present a petition from certain inhabitants of Newfoundland, complaining of a proposed change in the form of government which had for some time existed in the colony. The parties who had confided this petition to his care were highly respectable, and as the petition was respectably signed, he could not refuse to present it. With respect to the form of government in some of our colonies, he had on a former evening, in the case of the petition from a large body of inhabitants of the Cape of Good Hope, for a constitutional form of government analogous to that of Great Britain, expressed his opinion as to the inexpediency, he would say, the impolicy, of granting a representative form of government in colonies where the inhabitants were of mixed races, and where the power of one might be used to the oppression of the others. This state of things, did not, he admitted, apply to the colony of Newfoundland; but the principle would be found a general one—that where the difference of races was strongly marked, those who called for constitutions like unto that of this country would soon find that they had them only in name.

**MINES AND COLLIERIES.]** The Marquess of *Londonderry*, in presenting a petition from the owners of coal mines and others interested in the collieries of the counties of Durham and Northumberland, begged to call their Lordships' attention to the exaggerated impressions which the high colouring that had been given to the hardships of the mining population in the report of the commissioners, and by the



discussion which had taken place elsewhere, had produced on the public mind. On the part of the petitioners and himself, he denied that such inhuman practices as had been stated prevailed, at least, in the collieries of Durham and Northumberland; and the whole was mingled with so much exaggeration, that he trusted, before their Lordships consented to legislate on the subject, they would take pains to separate the true from the false, and consider well before they passed any enactments calculated injuriously to affect the interests of this important branch of national industry. Now, who were the commissioners, and what were the feelings with which they probably entered on the inquiry? He would read to their Lordships some correspondence which he had received on the subject. [The noble Lord read a letter reflecting, in strong terms, on the character, opinions, and occupations of the commissioners who had inquired into and reported upon the condition of the persons employed in mines and collieries.] It appeared, therefore, the noble Lord continued, that these gentlemen came to this inquiry fresh from the factory commission, with all the prejudices which that commission was likely to excite, and with an expectation and desire of finding similar oppressions amongst the miners to those which they had found amongst the manufacturing population. Their instructions were to examine the children themselves, and the mode in which they had collected their evidence—communicating with artful boys and ignorant young girls, and putting questions in a manner which in many cases seemed to suggest the answer, was anything but a fair and impartial mode—calculated to elicit evidence on which the House could rely, and on the basis of which it should proceed to legislate. Again, he thought the manner in which the report had been accompanied by pictures of an extravagant and disgusting, and in some cases of a scandalous and obscene character, was not such as should have been adopted in a grave publication, and was more calculated to excite the feelings than to enlighten the judgment. The noble Marquess then proceeded to vindicate the collieries of Durham and Northumberland from the charges included in the report, and from the charges brought against the coal-owners generally the other night by a right rev. Prelate.

Indeed, the report itself would prove this, and he begged to call the attention of that right rev. Prelate to the following extracts from that report, which he thought would convince him that from these accusations the northern collieries at least were free. The noble Lord read a long extract, setting forth, amongst other things:—

“Benefit societies exist in all the collieries, the advantages of which many pitmen avail themselves of. They are of various orders; relief funds, women’s boxes, Odd Fellows, United Order of Foresters, &c., all tending to the same object. In the Lambton colliery great attention has always been paid to the relief fund, and it is always in a very efficient condition. Lady Durham contributes one-sixth portion of the gross amount of subscriptions paid. It only remains to say, that in the family of a pitman they receive kindly treatment, and such generally as their sex would require. In their habits they partake much of those which prevail in the House. Cleanliness and sobriety are much more common traits than the reverse. The young are more feminine than females in a manufacturing community. In the hour of distress they display all the gentler feelings and all the alacrity to useful action which evince themselves in more refined circles; and their social feelings and affections are as strong.”

Much, too, that had been said about the vice and immorality that prevailed in collieries was greatly exaggerated, especially as related to Scotland. Much had been said about education, but they must remember the necessity which existed for employing the children, and the difficulty in those districts of the country of youths getting any employment, however educated, except in the collieries. On this subject he invited their Lordships’ attention to the following communication from another of his correspondents. [The noble Marquess read a communication, dated Pensher, June 14, 1842; and signed “John Buddle,” describing the superior advantages of a practical education in collieries to a reading education, and stating, that at Shina Row a library had been established for the colliers, but not one ever came to it. The noble Marquess continued,] The object of the petitioners, it must be remembered, was not to prevent any interference which humanity rendered essential, but to prevent any rash and hasty alterations under the excitement of exaggerated statements which might tend to strike at the root of a branch of industry in which, in the two

counties to which he referred, a capital exceeding 10,300,000*l.* was invested. He would next call their Lordships' attention to the replies which had been given by those whom he represented to the statements in the Report of the Commissioners.\* These gentlemen called on Parliament not

to legislate on this subject until the present excitement had been allowed to subside. That prayer, he thought was as reasonable as it was fair. He must also express his hope that Parliament would not legislate on the subject until some further inquiries had been made. He thought that the

\* THE FOLLOWING WAS THEIR STATEMENT.

*Coal Trade Office, Newcastle-upon-Tyne,  
May 25, 1842.*

"The commissioners appointed to investigate the nature of the employment of children in mines have added to the digest which they framed of the mass of evidence collected by the sub-commissioners, their opinions, expressed in such general terms, that upon a mere perusal of it the public might imagine that instances of the gross mismanagement therein detailed were to be found in some of the mines within the great northern coal field of Northumberland and Durham; whereas nothing could be more erroneous than such a conclusion.

"The contracts of hiring and serving between the coal proprietors and those employed by them in the mines within those districts are invariably written or printed, and all of them nearly in the same form—are drawn up with great care, so as to enable the magistrates to decide what the intention of the parties must have been when these agreements were signed; and, as an additional security to the workmen, generally contain the following clause:—

"'Lastly—it is here mutually agreed that in case any dispute or difference shall arise between the said hereby contracting parties relative to any matter or thing not hereby provided, that such dispute or difference shall be submitted to the decision of two viewers of collieries; one to be appointed by the said owners, their executors, administrators, or assigns, and the other by the said hereby hired parties, of the other part; and, in case of their disagreement, to the decision of a third person, to be chosen by such two viewers; and the decision and judgment of such two viewers or umpire—as the case may happen—shall be conclusive between the parties on the matters referred to them. Provided always, and it is hereby declared, that nothing herein contained, shall extend, or be construed to extend, to alter, prejudice, lessen, or otherwise affect the legal remedies and powers which by law belong to masters and servants, in their respective relations to each other, or to magistrates having jurisdiction in case of dispute or difference between them.'

"In the ventilation of these mines great expense is incurred in order to render them perfectly healthy, and a regular system of inspection is established, so as to guard, by all the practicable means that experience can suggest, against the danger of explosion. Females are not employed either above ground or below, parish apprentices are never engaged, nor is it likely that it can take place, as it could only be done in the present state of the law with the express sanction of the magistrates. The stipulated labour of the adults is not in any case excessive, nor is any power retained by the employer of making it so.

"As to the solitary confinement of children employed as trappers, that is, if applied to this district, a gross exaggeration. Under these circumstances the coal proprietors of Northumberland and Durham request the attention of the public to the following observations upon the commissioners' report, which they trust may assist the Legislature in determining whether any law, founded upon just principles and of general application, can be framed, so as to afford additional protection to an industrious and deserving class of the labouring population of the kingdom."

The following were the answers and observations to the chief statements in the commissioners' report:—

1. The lowest age allowed in the Durham and Northumberland collieries, by the agents and managers, for boys to be taken into the pit, is eight or nine years. When children of a less age are taken into the pit as trappers, it is done clandestinely by their parents, and the instances are rare—this is the exception, not the rule.

2. Very few boys under eleven or twelve are employed as drivers; up to that age they are employed as trappers.

3. No females are employed in the northern collieries.—(See Mr. Leifchild's Report, page 556, article 254; and also Dr. Mitchell's, page 136, article 164).

4. The work people of every description are hired and paid by the proprietors, as it is not customary to employ contractors in these collieries.

5. It is not the custom in these collieries to bind apprentices; no such practice is known.

6. The utmost attention is paid to the drainage and ventilation of the mines, and every care that the nature of the work will admit of is taken by the superintendents of the mine, and the proprietors spare no expense to secure the safety and comfort of the work people of every class.

7. As the trappers only remain in the pit during the time of drawing coals, they are rarely more than ten hours in the pit, except on the main railways, or horse roads, where they necessarily remain during the time the pit is working, which seldom exceeds twelve hours.

8. This is a very erroneous and exaggerated statement. The working trap doors are all placed in the principal passages, leading from the bottom of the pit to the various works, so that an interval of seldom more than five minutes, but generally much less, passes without some person passing through his door, and having a word with the trapper. Neither is the trapper deprived of light by any means general, as the stationary lights (lamps) on the rolls and tram ways are frequently placed near to the trapper's seat.

9. The trapper's employment is neither cheerless, dull, nor stupefying; nor is he, nor can he be, kept in solitude and darkness all the time he is in the pit. (See the former answer.) The trapper is generally cheerful and contented, and to be found, like other children of his age, occupied with some childish amusement—as cutting sticks, making models of windmills, waggons, &c., and frequently in drawing figures with chalk on his door, modelling figures of men and animals in clay, &c. Where double doors are placed, there are always two trappers together.

10. Boys of six years of age are never employed as putters; they must first go through the intermediate stage of trapper and driver.

11. This observation does not apply to this district, in which females are never employed.

12. Does not apply to the Durham and Northumberland collieries.

13. Answered by No. 7.

14. Night working, or double shift, is now very rare. It is believed that no case of it exists at present in the Durham and Northumberland collieries.

15. The labour of the day is by no means incessant and continuous. A pause or halt in the putter's work almost invariably takes place every time he brings his tram to the crane or platform, where his single load is attached to the horse train, to be taken to the bottom of the pit. It is during those intervals that the putter rests and eats his provisions.

16. It is only in a few collieries that this time is allowed for meals. As to the complaints of fatigue, the same may be made of every other description of bodily labour. Let any one who is accustomed to see those boys returning home from their day's work, say whether their gambols and playfulness do not prove anything rather than being overworked and jaded with their employment.

17. This statement is perfectly erroneous. Persons in authority, as part of their duty, are in the habit of interfering to prevent the "ill usage of younger children by their elder companions." Unless they did so, and exerted that authority to suppress the usage alluded to, the discipline of the pit's crew could not be preserved, and, of course, it

parochial clergy, who had he believed instructed the right rev. Prelate who brought forward this report (the Bishop of Norwich), would do more good if they examined into the state of the schools and called at the houses of these people. He hoped that the right rev. Prelate would look through the whole of the report. He was sorry to see a statement that had been made elsewhere; but he would say for the coal owners of the north, that there was no set of men in the world who did more justice in every way to those who were employed by them. He therefore must repudiate the accusations which had been brought against them. All this required much more consideration than the enthusiastic advocates for the education of the labouring classes in the heat of their zeal were disposed, or even capable of giving to the subject. They did not seem to be aware that our fields could not be ploughed, our mines wrought, nor our ships sailed by the use of the pen alone. The national community might be compared to a great machine or manufactory, all its wheels

would be impossible to conduct the work with regularity, and the whole would fall into confusion.

18. It rarely happens that the boys, especially the trappers, are employed more than four or five days in the week; and from the superabundance of trappers at most collieries, they scarcely average three days, so that abundant opportunity is left for healthy recreation and education.

19. This is essentially correct. Regular surgeons are attached to each colliery, and in cases of accident, surgical aid is afforded gratis, and the patients are paid subsistence money during the time they are off work.—(See Mr. Leifchild's Report, 50, p. 5 art. 237.)

20. This allegation does not apply to the seassale collieries in Durham and Northumberland, as every department of the mining operations, particularly as regards the machinery, is placed under the superintendence of competent officers. The underground establishment consists of overmen, with their deputies, to superintend the working operations, and their first duty every morning is to visit all the working places before the men are permitted to go in, to see that they are safe or unsafe to be entered with naked lighted candles; also to place props for the support of the roof, brattice the boards, and see that all the trap-doors, &c., are right. The wastemen to keep the air courses right, and the rolly-way men to attend to the rolly or railways. In ascending the shaft, the number of persons to be drawn up at once is regulated by the onsetter, he being always present, and is made responsible. In descending, the duty of regulating the number devolves on the banksmen, who, like the onsetter, is made responsible; and good and sufficient ropes for the men to ride on are always provided. It is the banksmen's duty to prevent any person in a state of intoxication going down the pits. Above ground, the machinery is placed under the charge of a chief engineer, who has as many assistants as may be requisite to keep all the machinery in good and sufficient repair.

21. The working of the trap-doors is generally entrusted to boys, but properly constructed trap-doors close themselves, so that the trapper's duty is merely to pull them open with his string, and unless they are wilfully propped open, they must, from their construction, like a well hung gate, shut themselves. But maimed old men are generally made the keepers of important trap-doors, and it is the duty of the overman, at the close of each day's work, to

and parts must be duly proportioned to enable it to move smoothly, and the requisite proportion of education would always be supplied without making all this stir and effort about it. If it should preponderate, the equilibrium of society would be destroyed. The noble Marquess concluded by moving that the petition do lie on the Table.

The Bishop of *Norwich* would postpone his observations in reply to the noble Marquess until the bill was before their Lordships.

Petition laid on the Table.

CHURCH OF SCOTLAND.] The Earl of *Belhaven* wished to put a question to the noble Duke (the Duke of Wellington) relative to the Church of Scotland. The situation in which that Church was placed, the unfortunate divisions which had arisen principally amongst the clergy, and the excitement which prevailed, he thought every well-wisher to that Church must be desirous to see allayed. His own impression was strongly this—if the Government

see that all the lights are extinguished, that the boys are all out of the workings, and that the trap-doors are properly secured.

22. This observation is utterly incorrect. Nothing is omitted on account of the expense that is likely to guard against accidents, or secure the safety or comfort of the workpeople in the Northumberland and Durham collieries.

23. The greatest care is used in examining the ropes: and the engine-men are always approved of and appointed by the chief engineer.

24. In the above districts the children are well fed and well clad.

25 and 26. These are not correct to the extent stated. It is true that the pitmen are not a corpulent race, but few men possess such firmness of muscle, which is acquired in consequence of the regularity of their labour in a warm and uniform atmosphere. No more active and athletic set of young men is to be found than amongst the putters of these collieries, and the long pedestrian journeys performed by the pitmen during their sticks afford sufficient proof that there is no physical organic defect in their limbs. Their bodily health and physical constitution may best be judged of from the reports of the surgeons as to the comparative ease with which they recover from wounds and other injuries.—(See the annexed report of Mr. Hardcastle.)

27. This statement is incorrect as to the effect of the employment and changes of temperature upon the age of pitmen.—(Vide Mr. Leifchild's Report, page 525, paragraphs 77 and 79.)

To the petition was annexed a report from Mr. Hardcastle, a member of the College of Surgeons in London, who stated, that employment in mines was not detrimental to health. He had obtained a return of the ages of 720 persons employed in certain collieries, and they were—

Above 80.....	4 per cent.	0½
70.....	20	3
60.....	55	7½
50.....	107	15
21.....	534	74
	720	100

would declare its intention to interfere for the purpose of endeavouring to effect a settlement of this question, it would be the best, if not the only means to put an end to that state of irritation and excitement which at present existed. The question which he now begged to put to the noble Duke was, whether it was the intention of her Majesty's Government to take this question into its early and serious consideration, with a view of endeavouring to bring it to a satisfactory settlement.

The Duke of *Wellington*: I must confine myself to giving a simple answer to the question of the noble Lord. The Government has had the subject under its consideration, and it has endeavoured to discover the means of effecting a settlement of this important and distressing question. We have abandoned that intention in consequence of finding that parties are not prepared to receive with satisfaction the measure which the Government had under its consideration. We are aware of the difficulties of the case. We see them strongly; and I must say that we have the same respect for the Church of

Scotland which is professed by the noble Lord himself, and the same feeling of the benefit which it has conferred on the people of that country, and of its being eminently calculated to continue that benefit, and to ensure their happiness. But the question is a very simple one. The Government has given, is giving, and will continue to give, its earnest attention to the subject with a view to discover the means of effecting a settlement at the earliest period possible.

The Duke of *Richmond* said, that as he was connected with that part of Scotland in which these clergymen had been suspended, he must say he thought it was very unjust that they should be suspended for merely obeying the law of the land. He must also speak to the great respectability of those individuals. As he understood that the Assembly intended to present a petition, a sort of declaration of rights, to the Queen, he wished to ask the noble Duke whether, after it was presented, he would have any objection to lay it on the Table of the House. He did not wish to have an answer at present. He

[If the age at which children were admitted into mines was made higher, a very great evil would be occasioned. The coalowners of Yorkshire had issued a document on this subject, to portions of which he would beg their Lordships' attention.]

"With respect to the age at which males should be admitted into mines, the members of this association have unanimously agreed to fix it at eight years, and they appeal to the testimony of numerous witnesses in the commissioners' report to prove that colliers seldom attain the requisite proficiency in their trade unless they enter the pits when young. In the thin coal mines it is more especially requisite that boys, varying in age from eight to fourteen, should be employed; as the underground roads could not be made of sufficient height for taller persons without incurring an outlay so great as to render the working of such mines unprofitable. At the present moment, a majority of the coal mines of this district are working not more than three or four days in each week, and the population are consequently in a state of great poverty and distress. What, then, would be the condition of a miner's family, if deprived by the Legislature of the weekly wages produced by the industry of the boys, in addition to those earned by the females? The coal owners fully admit the vast importance of moral and intellectual training as a means of improving the social condition of the population, and they would be rejoiced to see it more general; but they cannot conceive anything more injurious to the rising generation than the period of youth spent in utter idleness. The whole of a collier's family under thirteen years old will, if turned out of the pits, be entirely dependent on the scanty earnings of the parent for food, clothing, and instruction. Those earnings alone are barely sufficient to procure even food for their children, without mentioning wearing apparel and education. What, then, will be the probable condition of the children under thirteen years of age after the passing of Lord Ashley's Bill in its present form? Prevented by the Legislature from working in the mines, and unable to pay for daily instruction, or to avail themselves of Sunday-school education from the want of decent clothing, and equally unable, in the present superabundant supply of labourers, to procure employment in other branches of trade, they would

grow up in a state of physical and moral destitution, without any regular occupation, without that sufficiency of food and clothing which their own earnings formerly provided for them, without religious culture, without secular knowledge, and without those habits of steady industry so desirable in every rank, and so essentially necessary to the well-being of the working class. The boy must in this, as in every other case, be educated for the man; and surely legislative prevention of learning a trade is not desirable, either in a moral or an economical point of view. Some of the best and most careful engine-men in this district are more than fifty years of age; and the coal-owners think, that to discharge a skilful and faithful servant from the work for which, from long habit and experience, he is peculiarly fitted, simply because he is more than fifty years old, would be an act of imprudence and injustice, which nothing but a compulsory law would ever cause them to commit. The interference of Parliament in this case, therefore, is, they conceive, not only unnecessary, but unjust. If, however, legislation is inevitable, it would be more reasonable to restrict the age at which engine-men and bankmen may begin to work to fourteen years, to allow females of a similar age to assist the banksmen, and leave unrestricted and unlimited the age at which they shall cease. The coal-owners cannot omit this opportunity of referring to the report and conclusions of the commissioners for proof that there is little in the trade of mining injurious to the health; and much respectable evidence may also be quoted to show that the moral condition of the miners is superior to that of the manufacturing operatives, and not at all inferior to that of the agricultural labourers. The mineral proprietors and workmen have undeservedly incurred great public odium from the one-sided and *ex parte* statements, and extracts from the reports, issued by the press—showing only the dark side of the picture; and they entreat Members of Parliament not to legislate hastily on this subject, but to allow time for the whole of the evidence to be digested, and for the excitement, at present prevailing in the public mind, to be allayed by counter statements of the parties thus sought to be maligned and injured."

would say nothing of the General Assembly except that its conduct appeared to be most extraordinary, and he could not understand how it could allow itself to make use of such strong language as it had done, and to act in such a manner against men whose only fault was differing with it in opinion.

Lord *Brougham* said, that he thought it would be unbecoming on the part of their Lordships to enter upon this discussion at present, when the appeal in this matter from the Court of Session would soon come before the House in its judicial capacity.

Subject dropped.

EDUCATION (IRELAND). The Earl of *Clancarty*: My Lords, I have two petitions to present to your Lordships upon the subject of Education in Ireland, similar in substance and in prayer to those which have, in such great numbers, been laid upon the Table of the House since the commencement of the present Session of Parliament, that is to say, they are condemnatory of the present system of national education, and in favour of those schools which have been established by the Church Education Society in that country. My Lords, the petitions I have the honour of laying before your Lordships are, one from the Protestant inhabitants of the town of Ballinasloe, the other is from the committee of the Clonsfert Diocesan Church Education Society. To the latter of these petitions, my Lords, is affixed the signature of the excellent and respectable Prelate who presides over that diocese, I mean the Lord Bishop of Killaloe. And as they are each of them subscribed by persons the sincerity of whose interest in promoting the scriptural education of the Irish poor, is further evinced by their active individual exertions and pecuniary contributions in that behalf. I have, therefore, the greater pleasure in recommending their prayer to your Lordships' favourable consideration, and shall avail myself of the present occasion to say a few words expressive of my perfect concurrence in the opinions and wishes of the petitioners upon the very important subject on which they have addressed your Lordships. I agree, my Lords, with the petitioners in their condemnation of the present system of national education, because it appears to me to be founded upon a principle of

neutrality upon the subject of religion that must of necessity tend rather to impair than to elevate the standard of religious belief in Ireland—because it practically excludes the clergy of the Established Church from their due share in directing and superintending the education provided by the State for the people, among whom they are professionally placed,—and because, as regards the great aim and intention of the institution itself—I mean the effecting an united education of the Irish people of all religious persuasions in the same schools—the experiment has signally failed. And this, my Lords, is a fact which, considering the acknowledged talents of the members of the Board of Education—considering the great zeal with which, as it appears from their reports which have from time to time been laid upon the Table of the House, they have given themselves to the discharge of their duties, and the large sums of public money that have been annually placed at their disposal, more, in fact, than Parliament ever voted in previous years for the purposes of education in Ireland—considering also the length of time, now above ten years, that the system has been in operation with the unvarying and undivided support of successive Governments—I say, my Lords, that considering all these favourable circumstances, the fact that the experiment has, nevertheless, failed of accomplishing the object—the benevolent intentions of the noble Lord with whom it is supposed to have originated should be taken as conclusive against its being longer persevered in—conclusive of its unsuitableness to the circumstances and character of the people for whom it was designed—and, perhaps, also conclusive of the impossibility of framing any system likely to be successful for the united education of a people so divided in religious belief as the Irish; but, certainly, of the impracticability of a system such as the present, which, for the reasons set forth by these petitioners, neither has nor can have the support and co-operation of the hierarchy and clergy of the Established Church. Agreeing, as I do, my Lords, with the petitioners in the approbation they express of the schools in connection with the Church Education Society, I cordially join them in their prayer—

“That your Lordships would devise such means as to your Lordships' wisdom shall seem fit, for the encouragement and as-

sistance of schools in connection with that society."

Allow me to observe, my Lords, that the principle upon which the education given in these schools is based, is one which ought never to have been lost sight of in framing a system of national education for any part of the United Kingdom. I mean the principle of combining the dissemination of religious knowledge, scriptural and doctrinal, with the best secular instruction suitable to the wants and circumstances of the population. Such, my Lords, has been the object of the Church Education Society in the system of instruction they have provided for the Irish poor. An object in which, to the extent that the limited funds of a society—dependant solely upon voluntary contributions—have enabled them to go, in founding schools, they have been eminently successful. And it is a circumstance well deserving of the favourable consideration of your Lordships, that these schools—though hitherto unsupported by any public grant of money, and though practically opposed by the Government of the country—have nevertheless gone on year after year increasing in number and efficiency; that they have given satisfaction to the Protestants of the parishes in which they have been instituted (a fact that is abundantly attested by the petitions that have been presented upon the subject); that they are, as was stated to your Lordships on last evening by a most rev. Prelate, largely resorted to by the Roman Catholic population; and that, although under the immediate superintendence and control of the parochial clergy of the Established Church, the schools in connection with this society do in fact realise the design of united education of the Irish people, Protestant and Roman Catholic, in the same schools, far more effectually than do the schools under the Marlborough Street board, which were founded for that express purpose. It is not my intention, my Lords, at the present time, to enter at large into the question of Irish education. It is a subject which I trust will, ere long, be brought regularly under your Lordships' consideration, by those with whom the duty and responsibility properly rests of advising your Lordships upon a matter of such moment to the welfare and happiness of that part of the United Kingdom. I much regret that her Majesty's Ministers did not deem it a subject of sufficient im-

portance to engage their earliest attention after their accession to office; but I do not agree with those who infer from the answers given by the noble Duke in this House, and by my noble Friend the Chief Secretary for Ireland, in the other House of Parliament, to questions put to them upon the subject, that it is the intention of her Majesty's Government to leave the question of education in its present very unsatisfactory state. I rather place reliance upon the recorded sentiments of the leading Members of the present Administration, while they yet occupied the Opposition benches in the two Houses of Parliament—that being now in power they will give their serious attention to the subject with a view to making such alterations as are called for by justice, sound policy, and a consideration of the future welfare and character of the Irish people. And I feel assured that her Majesty's Government will act in this matter regardless of all party interests, but mindful of the support and encouragement due to the religion of the State, and at the same time with that consideration which is justly due to the interests of those who conscientiously dissent from the doctrines of the Established Church.

Petition laid on the Table.

House adjourned.

## HOUSE OF COMMONS,

Friday, June 24, 1842.

MINUTES.] *BILLS. Public.*—1<sup>o</sup>. Bonded Corn (No. 2)

Tobacco Regulations; Ordnance Services.

2<sup>o</sup>. Right of Voting (Dublin University).

*Committed*—British Possessions Abroad; Municipal Corporations (Ireland).

3<sup>o</sup>. and passed:—Drainage (Ireland); Railways.

*Private.*—*Reported*.—Ashton's Divorce; Wrexham Road.

PETITIONS PRESENTED. By Captain Rous, Mr. Gill, and Mr. S. Wortley, from Lancaster, St. Paul's, Covent Garden, Woolwich, Huddersfield, and Plymouth, against the Poor-law Amendment Bill.—By Mr. Litton, and Viscount Bernard, from Mallow, Kilmichael, Clondrohid, Ballinaclash, and Holy Trinity, Cork, for an Alteration in the present System of Education (Ireland).—By Mr. J. D. Jackson, from Athy, and Waterford, against placing Medical Charities under the Control of the Poor-law Commissioners.—By Mr. Beckett, and Mr. R. Scott, from Hixby, Whitley, Upper Eiland, Llanelly, Grimsaar, and Barnsley, against the Mines and Collieries Bill.—By Mr. Hardy, from Medical Practitioners and Pupils, for inquiry into the Working of the Anatomy Act.—From the Holders of Salmon Weirs on the Barrow, against the Fisheries (Ireland) Bill.—From Derby, against Brewer's Casks being Distrained for the Rent of their Customers.—By Mr. T. Duncombe, from Edinburgh, for Inquiry into the Causes of the National Distress, and the Murders in Ireland.—By Sir C. B. Vere, from Hoxne Union, for Rating the Owners in lieu of the Occupiers of Small Tenements.—From Ugborough, against the Turnpike Roads Bill.

MAGISTRACY (IRELAND) MR. ST. GEORGE.] Mr. *Sheil* wished to ask the noble Lord, the Secretary for Ireland, whether an apology had been made by Mr. St. George to the Lord-lieutenant, and if so, whether he had any objection to lay before the House the apology or retraction offered by Mr. St. George.

Lord *Eliot* would briefly advert to the circumstances of the case. In 1837, Mr. St. George had written a disrespectful answer to a communication from the Lord-lieutenant; and he was, in consequence, removed from the commission. The present Lord Chancellor of Ireland admitted that he was very properly removed, and when applied to for the restoration of Mr. St. George, he objected, unless Mr. St. George consented to retract the letter, or to make an apology for the language which he had used. The Lord Chancellor, however, received so many applications from gentlemen connected with the county—persons of different political opinions—and even from the Lord-lieutenant of the county, that he felt himself justified in again communicating with Mr. St. George on the subject of an apology. Mr. St. George in consequence, gave an explanation to the Lord Chancellor, but it was not a retraction of the letter or an apology. The Lord Chancellor, however, did not think himself justified in acting on his own view of the case, but reinstated Mr. St. George in consequence of the wishes which had been so strongly expressed on the subject. The present Lord Chancellor of Ireland thought that the late Government was right in removing Mr. St. George; but, taking all the circumstances of the case into consideration, seeing that men of different parties in the county of Galway called for his restoration, and recollecting that Mr. St. George had been suspended for almost five years, in consequence of his letter, the Lord Chancellor had consented to reinstate him. After the explanation which he had given, he did not think that it would be proper to produce the paper called for by the right hon. Gentleman.

Mr. *Sheil* would on a future day move for those papers.

POOR-LAW.] Sir *J. Graham* moved the Order of the Day for the House resolving itself into committee on the Poor-law Amendment Bill.

Mr. *Lawson* said, that in rising to move

“That it be an instruction to the committee that they have power to divide the bill into two parts,”

he was actuated by no factious motives. He wished the first part of the bill, that which related to the commission, to be proceeded with, and the other part, that which related to the details, to be postponed till next Session, in order that time might be allowed for a more full and extended inquiry. He was strongly opposed to the application of the bill at all to that part of the country with which he was more immediately connected, because he had reason to believe that the government of the poor had been there satisfactory to all parties.

Sir *J. Graham* said, it was not necessary for him to occupy much of the time of the House in answering the observations of the hon. Gentleman. It seemed, however that the hon. Gentleman had determined to make common cause with the hon. Member for Oldham, who had distinctly avowed that he should avail himself of every means which the forms of the House would allow in order to protract the discussions on this measure until after the 31st of July,—the effect of which course, if successfully carried out, would be to throw the whole management of the law for the relief of the poor of this country into inextricable confusion. Now, the hon. Gentleman must allow him to remind him that this measure was introduced on the 11th of May, and had now been before the House and the public for upwards of six weeks. A very large portion also of the measure was introduced last Session, and many of the principal clauses of it then underwent protracted discussion in committee. He must also beg to remind the hon. Member what was the object he really proposed to himself in taking his present course, and what would be the real effect of that course. The hon. Gentleman, it seemed, had no objection to allow the first five clauses, which were very important clauses, to pass into law, but he stopped at the next clause—the clause which proposed to abolish the Gilbert unions. Now, let him look at the proportion of the population which would be affected by the proposed change in the Gilbert unions, compared with the whole number of the inhabitants of England and Wales affected by the general law which

the hon. Member wished to postpone on this particular account. The number of the poor calculated to be affected by the general provisions of the bill was 15,000,000, while the persons embraced by the Gilbert unions amounted only to somewhere about 250,000, with the addition of about 150,000 more persons who would be affected by the abolition of those unions, and who were not now under the operation of the Poor-law act. Thus the House, according to the course marked out by the hon. Member, were now called upon to decide whether, for the sake of affecting about 400,000 persons, the whole of the regulations by which 15,000,000 inhabitants of England and Wales were deeply affected should be indefinitely postponed. He apprehended that the rule of that House and the ordinary course of proceeding was never to give an instruction to the committee to do anything which, without that instruction, that committee would be competent to do. Therefore, in point of form, the motion of the hon. Member was irregular, because it was competent to him to move, in committee, the rejection of the clause relating to the Gilbert unions. It was for the House to say whether the majority was in favour of a course which the hon. Member himself admitted to be factious; and he could only hope that the division to which they were about to proceed would distinctly mark the sense of the House on the subject.

Captain *Pechell* concurred in the course which the hon. Member for Knaresborough was about to take. The right hon. Baronet would find that the hon. Member for Knaresborough was not the only Member of the House who was determined to offer to this measure the most constant and zealous opposition, or who would take advantage of all possible forms of the House in obstructing the measure and endeavouring to protract the discussion of it until the right hon. Baronet was compelled to separate the bill into two parts—a course which, if the right hon. Baronet exercised a sound discretion, he would at once agree to; thus saving the time of the House, and allowing other most important business to be brought on. Last evening there was a public meeting of the inhabitants of Brighton, at which both the Members were requested to attend and report the progress made in the Poor-law bill. He had thought it his duty to tell his con-

stituents what had fallen from the right hon. Baronet, and they had unanimously agreed to a resolution, requesting the Members for the borough to vote against the Poor-law Amendment bill on every occasion, and to oppose in every possible way which the powers of Parliament would allow every measure that had for its object the continuance of the Poor-law commission. This resolution, he conceived, would afford him quite justification enough in the course which he should adopt with regard to this bill, even though his opposition might be designated as factious.

Dr. *Bowring* desired to state the reasons which would influence the course he should take with reference to this very important measure. He had certainly been one of those who expected that the passing of the Poor-law Act, the organization of the commission, and the establishment of a central control, would have been found most useful, not only to protect the rate-payers, but also to improve the condition of the working classes. He had been strongly impressed with the abuses existing under the old system, and of the absolute necessity of some remedy, and he had therefore watched with extreme anxiety the proceedings of the Poor-law commission, and with a great desire to ascertain how far they had been beneficial, and how far they had effected the great object originally contemplated. That object being the relief of the deserving, the exclusion of the undeserving, and the honest administration of the funds raised from the contributors. No doubt there were many complaints against the Poor-law commissioners, but as the Ministry had avowed their intention to present a new law, and to take the whole subject into their matured consideration, he had done his best to invest the Government which undertook the responsibility of preparing another Poor-law with unchecked power to enable them to present to Parliament one that should be efficient and humane. He had, therefore, voted against every motion that would have prevented the Government from fully acquainting themselves with the whole facts bearing upon the question, and coming forward with some plan of legislation for the purpose of effectually carrying out that principle to which all sides of the House desired to give effect. But he had watched with the greatest anxiety the proceedings of the Poor-law commissioners. The plan, in his opinion, was originally



concocted with a philosophical and enlarged view of things, with a real desire to administer to the wants of the suffering people, while at the same time it sought to protect the rights of the rate-payers; and he certainly had hoped that when the sufferings of the labouring population were so excessive, the Poor-law commissioners would have given effect to what was in itself a despotic and peremptory legislation in a mild, kind, generous, and benevolent spirit. But he had had occasion to see the working of the law in the borough which he had the honour to represent. He had brought some cases of severe distress before the House, and he had thought it necessary to call the attention of the House to sufferings which he considered disgraceful to the state of society and civilization in a country like this. The right hon. Gentleman at the head of the Government was kind enough to lend a willing ear to the statement which he had then made, and in his benevolence had ordered an investigation to take place in the locality as to the accuracy of the information given, and whether the extent of misery was such as he had described; now he was bound to say, that that investigation was conducted in a way to give the greatest possible dissatisfaction to all parties concerned. Neither the Poor-law guardians, nor the disinterested lookers on, nor the rate-payers, nor the great mass of the population, were satisfied with the report that was made. It was not the report of an inquirer after truth—it was not a summary of evidence fairly collected and honestly weighed, but it was a partial one-sided statement of a partial partisan. Hence, the feeling had spread very widely, that the ends of truth and justice would not be secured by any investigation undertaken under the auspices of the Poor-law commission. He certainly had thought, that the assistant-commissioners would not, as they had done, have travelled out of their way to impugn the statements that had been made; he certainly had thought, that the Poor-law commissioners would have put a bridle upon that assistant-commissioner which would have prevented him from attempting to impugn facts that were as notorious as the light of day; he had hoped he might look to the Poor-law commissioners as a tribunal which had no object but to investigate into the truth, *without any interest on the one side or on*

the other, or any other object to serve but the ends of truth and justice. Now, he was bound to say, that he was grievously disappointed. He had been called upon to interfere, and to look to the working of the Poor-law commission in the borough of Bolton, and the manner of the administration of the affairs of the poor there, and the state of feeling on that subject in the borough towards the Poor-law commissioners were of such a character, that he felt bound, as far as he was able, to resist the continuance of powers which were exercised in that locality without any wisdom, discretion, or humanity. For if in the spot where he had ample means of knowing how the powers of the Board were exercised, he had abundant reason to know they were not exercised in a spirit of fairness, kindness, or equity, he was bound to suppose, the same tone and temper prevailed elsewhere, and he would not, in days like these, confide almost boundless authority to those whose proceedings were so little tempered by humanity. But while he felt thus strongly with regard to the measure, he at the same time could not lend himself to any attempt by means of the mere forms of the House to resist the fair progress of the bill. He was prepared to canvass every clause with reference to its bearing on the well-being of the community, but he would not go further, for he did not think, that it was either fair or reasonable to use the forms of the House for the purpose of obstructing the public business. In the spirit of frankness he would say to his hon. Friends around him, that as far as bringing forward fair reasoning and argument against the Government measure, in the hope of improving its details would go, so far would the opponents of the bill have his assistance; but further, as he had already said, he would not go.

Mr. O'Connell had voted against the Government hitherto whenever this bill came on, for reasons obvious enough to those acquainted with the operation of the Poor-law in Ireland, and he therefore wished to state why he voted with the Government on the present occasion. He did so, because he thought it was expedient that the bill as proposed should be one bill—that the Government should go with their entire scheme before the public, in order that the probabilities of a successful opposition to the third reading might be increased.

Mr. *Fielden* observed, that every motion to divide the bill had come first from hon. Gentlemen on the Ministerial side, and that they on the opposition side, by supporting those motions, got the credit of offering factious opposition. He now repeated, notwithstanding what the right hon. Baronet had said, that he would avail himself of all the forms of the House, factious or not factious, as he might be called, in order to oppose this bill. He wanted to see an end put to the commission; the public did not want the commissioners at all. He should vote with the hon. Member for *Knaresborough*, although that hon. Member avowed, that his only object was to get the law done away with as regarded his own borough; he wished to have it done away with as regarded the whole country.

Sir *W. Barron* would vote against the motion, because he was morally certain, that when the Poor-law was properly understood by the people of England, and when the passions and prejudices which now prevailed were in abeyance, it would be found to be the greatest benefit ever conferred by the Legislature on the people. No measure that had ever been brought forward had been so generally beneficial to the rich and to the poor. Its tendency was to raise the condition of the poorer classes, to give them independent opinions, and to induce them to lean more on their own industry and exertions than the old Poor-law, or any other law that had been passed. Hundreds of Gentlemen, opposed to him and the late Government in politics, had acknowledged, that one of the greatest benefits ever conferred upon the country was the Poor-law Amendment Bill brought in by the Whigs; when, therefore, he saw a bill introduced upon the same principles, come from what party it might, he would support it. He regretted to find, that there were some hon. Gentlemen on the other side of the House who had not opposed the bill, although they owed their seats in that House to the disgraceful agitation which they had produced in the country against it—an agitation which had been the real cause of that mischief which they were now combating. Talk to him of agitation in Ireland! What was it compared to the agitation which took place in England during the last general election? “You and your Friends (addressing Sir *R. Peel*), were the agitators in England. By their

agitation against the Poor-laws and the Corn-laws, they placed you in your present position.” That the pledges had not been redeemed was the feeling of the people of England, and of their supporters out of doors, and he himself knew it; he saw it, he heard it, and he read it in their journals. Although he supported this bill, he never could support that dereliction of principle which had brought men into power upon insincere agitation and false pretences.

Mr. *Grimsditch* thought, that the hon. Baronet ought to have reserved his warmth for some subject connected with Ireland. He was not disposed to join any party for the purpose of giving any obstruction to the progress of this bill by the forms of the House. He had strong objections to the bill, but he was anxious to go on with it clause by clause, and see how far its operations could be mitigated.

General *Johnson* admitted, that the present bill was a bill to protect the rich, but he did not agree that it had a similar tendency to protect the poor. He was entirely opposed to a division of the bill, into two parts. His conviction was, that it would be much better to get rid of it altogether, and to pass a conciliatory measure of a short duration, thus avoiding the necessity of discussing the merits of the question in the present Session. Considering that there were already forty-seven notices of alterations on the paper besides new clauses, he did not think that it was either advisable or convenient to the House to proceed with the bill in its present form.

Mr. *Lawson* said, that after the opinions which had been expressed in reference to his motion, he would withdraw it.

Motion withdrawn.

On the question, that the Speaker leave the Chair.

Mr. *T. Duncombe* said, in rising to submit the motion of which he had given notice, he could assure the House that he did not bring it forward with any factious motives. Not that he did not think faction, when all other resources failed, an extremely good thing, as he had said on a former occasion, and acted upon the saying. But he submitted the present motion in the hope of saving the House much time, and many angry and disagreeable discussions—discussions which he was quite satisfied, in the present state of public business, could not be carried on dur-

ing the short period that now remained, with any satisfactory result. These discussions should be concluded previously to the termination of the Poor-law commission, which, as the House knew, would expire on the 31st of July next. What was the state of business in reference to this bill? They had now only about five weeks to deliberate on and discuss this great and important measure—a measure containing some sixty-two clauses, and relative to which, as his hon. Friend behind stated, there were forty or fifty amendments now standing on the notice book. They had not yet touched a single line of this bill in committee. The least possible time that could be allowed for the House of Lords, to consider so important a measure, was a fortnight or three weeks. But giving the House of Lords a fortnight, what would remain for them? Some three weeks to discuss this bill and the other public business besides. Now, what had happened last year? The noble Lord then at the head of the Government introduced a bill similar to this early in the Session. It had gone through committee, with the exception of five clauses, on the 5th of April. That was the state of the bill up to the 5th of April, when from the state of the public business it was not thought expedient to proceed further with it. There was nothing, as it appeared to him, which called so imperatively upon them, especially considering the present state of the country, to induce them to press the bill in the present Session. After the statements that had been made that evening, and after the nature of the opposition with which it was said the present measure would be met, he believed that it would be not only morally, but physically, impossible for her Majesty's Ministers to get through the bill within the time limited by act of Parliament for the continuance of the commission. Her Majesty's Ministers had delayed this measure (and he did not know that they could have done otherwise) until within five weeks of the termination of the commission. The discussion upon this bill—the fate of the measure, was not now with the Government; for her Majesty's Ministers were, with respect to it, in the hands of the Opposition. It rested now with the Opposition whether the bill was to pass or not. It was, therefore, worthy of the consideration of her Majesty's Ministers, and of the House, and of *all parties, whether they were favourable*

to Poor-law or opposed to it—whether the bill should be proceeded further with or not. If they determined that it should not, then some measure might be adopted for obviating the inconvenience that was felt with respect to the commissioners. He did not himself think that the commissioners were necessary; but as it was the prevailing opinion in the House that the commissioners should remain, he did not think that any opposition would be offered to the commission lasting for another year. In this, he believed, there would be but little difficulty; while there would be the greatest if an opposite course were pursued. In the state of the public business, it must be the only measure that could occupy them for the next five weeks. Now, what was the state of public business at that moment? There were seventeen orders of the day for that day, and the right hon. Baronet the Secretary for the Home Department had, on the preceding night, introduced three new bills, all of which were, of course, to be proceeded with. One of those bills was, in his estimation, of the utmost importance. It was the Prison Discipline Bill, and he must say that he regretted exceedingly to see such a measure introduced at so late a period of the Session. They had been told by the right hon. Baronet that it was a bill for regulating the discipline in all the prisons of England—a subject to which he had himself called their attention in the early part of the Session, and that was of still more importance than this attempt at altering the law for relieving the poor. But while the Government was proceeding in its present course, he begged to ask what had become of the measures alluded to in the Queen's Speech? They had been there told of a bill to amend the Bankruptcy Court; they had been promised the introduction of measures of reform into the ecclesiastical courts—those sinks of iniquity. They had been told, too, that there was to be a bill for the registration of voters; what was to become of that? Why, it was to be merely introduced, and then thrown on the Table. Two years ago, when the noble Lord opposite introduced his Irish Registration Bill, he told them that there was nothing of so much importance as that measure. They were told of perjury, and personation, and every other iniquity taking place in Ireland, and that these things ought to be remedied immediately, and now they

did not hear one word on the same subject. Even when the hon. Member for Halifax proposed a motion which was to the effect that they had better proceed with an English Registration Bill rather than with that of Ireland, then the noble Lord told them that the two things were perfectly distinct, and the noble Lord declared that he would not allow his bill to be hung up until the English Registration Bill had gone through committee. But what now said the right hon. Baronet the Member for Tamworth? That they had better determine the principle on which English registration should be based before the Irish Registration Bill was gone into. What, then, had become of the crying evils, of which they had been told so much two years ago? Why not attempt to carry some remedial measure through that House? or why waste the time of the House in the attempt to continue the powers of the Poor-law commissioners for six years longer? Why not go on with the measures that were referred to in the Queen's Speech? Why urge this, that was not mentioned in the Queen's Speech? From motives of prudence, he was sure, her Majesty's Ministers had declined referring to it. They had not given even the most distant hint that it would be brought on; while, as to those measures which had been promised, and for which the country had been looking most anxiously, they had been totally abandoned by her Majesty's Ministers. Let his suggestion be adopted, and they would have plenty of opportunity to discuss the Poor-law hereafter. This bill was one not merely for the continuance of the powers of the commissioners, but it went also to repeal the Gilbert incorporations, and to set aside all local acts, and to continue the nefarious system of proxy votes. It was, too, to give them another set of assistant commissioners—those itinerant nuisances of whom the whole country was complaining. When he looked to all these objections—when he knew that so many others might be stated—he asked whether it were possible for them to go through such a measure in the short period of three weeks? Was the House not to be allowed to discuss the estimates which were yet to be brought forward? Were they not to be permitted to say a word about the 800,000*l.* or 900,000*l.* additional for the China war, nor to make an observation upon the estimates for Canada?

Was all other business to be put aside in order that so objectionable a bill might be forced upon the country. He said that the public mind was not in a condition to receive this bill upon the terms on which the Government intended to force it on them. He believed with the hon. Member for Oldham that 99 in every 100 persons out of that House were opposed to the principle and provisions of this measure. He had himself had the honour of waiting upon the Secretary for the Home Department with delegates from different parts of the country interested in the maintenance of the Gilbert incorporations, and when the right hon. Baronet made light of the matter by saying they only affected 300,000 persons, it was said by one individual, a highly respectable Conservative, a clergyman, a minister of the Gospel, a minister of peace—that “this bill could not be carried except at the point of the bayonet.” The right hon. Gentleman might recollect the expression—at least, it made a deep impression upon him, considering by whose lips it had been uttered. He would call their attention to the petition, signed by 3,000,000 of people, that he had already presented to them. The House might object to many parts of that petition, but what the petitioners said with regard to the New Poor-law was worthy of the attention of that House, because it spoke not only the opinion of 3,000,000, but also because they were those most likely to be affected by the provisions of the bill of which they gave this opinion. The petitioners stated this:—

“That in England, Ireland, Scotland, and Wales, thousands of people are dying from actual want; and your petitioners, whilst sensible that poverty is the great exciting cause of crime, view with mingled astonishment and alarm the ill provision made for the poor, the aged, and infirm; and likewise perceive, with feelings of indignation, the determination of your honourable House to continue the Poor-law bill in operation, notwithstanding the many proofs which have been afforded by sad experience of the unconstitutional principle of that bill, of its unchristian character, and of the cruel and murderous effects produced upon the wages of working men and the lives of the subjects of this realm. Your petitioners conceive the bill to be contrary to all previous statutes, opposed to the spirit of the Constitution, and an actual violation of the precepts of the Christian religion; and, therefore, your petitioners look with apprehension to the results which may flow from its continuance.”

Every man acquainted with the north of England looked with great apprehension to the determination of that House to force this bill upon the country. He did not mean to go further into the merits or demerits of the bill. He hoped that the House would agree to his motion. He was satisfied that the wisest course for her Majesty's Ministers would be to accede to it, and postpone the bill to next Session. What other measure they might adopt it was for them in their wisdom to lay before the House. He proposed to them a course by which they might act in a conciliatory spirit: it depended now on themselves to say whether they would force this bill on the House: if they did, their efforts would be fruitless; they must only meet with defeat and disappointment, for it was impossible that the bill could become the law of the land in the present state of public feeling and in the present situation of public affairs. The hon. Member concluded by moving,—

"That, considering the distressed state of the commercial and industrious classes of this country, together with the advanced period of the Session, and the present state of public business, coupled with the fact that the Poor-law commission expires on the 31st of the ensuing month, it is the opinion of this House that there is not now sufficient time to enable Parliament to give that attention and deliberation to the important changes in the laws for the administration of relief to the poor which the measure introduced by her Majesty's Ministers imperatively demands: and that it would therefore be more expedient that measures of a temporary character should be adopted to meet any inconvenience which the expiring provisions of existing laws for the relief of the poor may be deemed to require."

Mr. Wallace agreed with the hon. Member as to the necessity of postponing the present measure, and he believed further, that if it were persevered in, the time of the House, which ought to be devoted to the consideration of the distress of the working classes throughout the length and breadth of the land, could not be applied to that purpose. In the part of the country to which he belonged the distress was becoming daily deeper and more gloomy; nor was there any appearance of improvement in trade; it seemed as if more and more of the people were becoming destitute. They had now what he called a Poor-law Parliament sitting in King William-street, who were distributing alms to the destitute in England and Scotland. He had endeavoured to dis-

cover by what authority these gentlemen received money, and also upon what principle they distributed relief. He had been unable to discover either. He believed they were actuated by sentiments of humanity, but still the public had a right to know under what authority they collected the money, and upon what principle they distributed it. He believed the Parliament ought to interfere between the people and starvation. If the people were to be suffered to starve, let the Parliament say so. And if there were any source from which they could be relieved, let the Parliament say so. In this country, it was said, they had a Poor-law that provided for the distressed poor. Did it do so, he would ask? In his country they had no such law, and the time of Parliament would have been better occupied in providing a Poor-law for Scotland, than in amending that of England. He should support the motion of his hon. Friend, and adopt the course to which he alluded with regard to the business of the House, if he was supported by any hon. Member.

Sir James Graham intended to occupy the House but for a very few minutes. He by no means complained of the motion that they were now discussing. So far from regarding it as factious, he thought that it properly and fairly raised a most important question for the deliberate opinion of that House, and he thought that now the moment had arrived for determining that question which the hon. Gentleman had so fairly raised. He hoped and believed that if the House should agree with her Majesty's Ministers, that on the whole it was expedient to proceed with this bill—if the House should decide this point by a majority—then, until the contrary was proved to him, the course usual in all deliberative assemblies—that the minority should be bound by the acts of the majority—until he saw that rule rejected, and an opposite one adopted, he could not believe that this assembly would act differently from others. He thanked the hon. Gentleman for fairly raising this question. He rejoiced that the moment was come for them to decide, whether, under all the circumstances, they deemed it expedient to proceed with this bill. He begged to call their attention to what was his feeling on this matter. The hon. Gentleman had said, that it was most desirable to procure unanimity and to avoid angry discussion with regard to this measure. He

admitted the importance of this object, but then he was charged with the performance of a public duty, and he must not be betrayed by any consideration of that kind into the dereliction of paramount obligations. No man was more deeply impressed than he was with the wide-spread distress of the working classes. He made the admission unequivocally. He felt, too, that the administration of relief to the distressed was invested with peculiar difficulties. It was his duty to consider in what way that relief might be dispensed with the most safety and advantage to the people; and having had some experience in these matters, having, carefully deliberated upon it, admitting the distress, and seeing that there were in England and Wales 1,200,000 persons receiving assistance from the parochial rates, he was speaking gravely in the discharge of a painful duty; they were a deliberative assembly—the great council of the nation—and he should be betraying his trust if he did not state the facts fairly, and, as an adviser of the Crown, call on that House to assist in a great public emergency. Admitting, then, he said, the distress to be wide-spread—admitting that there were 1,200,000 receiving assistance from the parochial rates, he asked himself, in this state of affairs, how could the difficulty best be met. He had had experience of former periods of distress, when no control for regulating relief like that which the commissioners exercised, existed in his State. He deliberately said, that the difficulties in such an emergency could only safely be met by the administration of relief under the control of the Poor-law commissioners, with unabated powers, and with powers such as he asked to be extended to them. He deprecated altogether the proposal of continuing their powers but for a single year; as it was, they could only encounter the difficulties with which they had to contend by possessing the marked confidence of the Legislature. After what had passed, were there now to be but a temporary renewal of the act—would they not mark with their distrust the persons to whom the power was confided; would they not cripple the power that they branded, and disable the commissioners from effectually meeting the difficulties to which they would be exposed? It was the opinion of her Majesty's advisers, that such powers as they now asked for the commissioners

were indispensable. The hon. Gentleman who had just sat down, had stated that out of doors there was a very strong feeling against the continuance of the commissioners, and he also said that he thought the assistant commissioners were itinerant nuisances. The House was aware that some of the most destitute of the manufacturing population were to be found in the immediate neighbourhood of Burnley. It had been stated to the House that they had sent an assistant commissioner of tried experience and great knowledge to that district, where relief, from some mismanagement, had not been properly administered. The assistant commissioner was Sir John Walsham, a gentleman particularly well suited for the duty of superintending relief in that district. He was one of those designated by the hon. Gentleman an itinerant nuisance; his mission was but of a temporary duration, and yet in the course of one month, where there had been confusion, he restored order; and he did this with the comparative satisfaction of that class to whom the relief was administered. Sir John Walsham having then executed his commission, which was but of a temporary nature, left the district having received a public expression of confidence in his favour, and of a desire that he might be sent there permanently to superintend the affairs of the poor. This was a testimony not less honourable to him, than it was to the board of guardians and the distressed population. It was admitted frankly, that kind and humane feeling had been exhibited in the administration of relief. He heard then with sorrow, under such circumstances, gentlemen who had to execute such painful duties, when they were not present, branded with the name of itinerant nuisances. Not only, in his opinion, was the control indispensable, but it should be aided by local inquiries. There should be the central superintendence, aided by the assistant commissioners. In the difficult circumstances of the country this was indispensable. He entreated the House not suddenly, not hastily, not from any desire to see the Session closed, not from any threat of factious opposition, to be led away from the performance of its duty. He entreated, he implored the House not to run the risk of postponing this measure. If the House agreed that the Poor-law commissioners were entitled to their confidence, and, in the circumstances of the country, were indispensable

to superintend the administration of relief, then he asked then by a decisive majority to negative the present motion. The first clause not merely affected the existence of the commission, but provided that certain powers should be confided to them. If that clause passed, then every subsequent clause was a clause of detail, modifying to a certain extent the nature of the powers to be exercised, whether central or local. The simple question as to whether the Gilbert unions were to be abandoned or not would come on in the sixth clause, but the principal question was on the first clause as to the duration of the commission. As to the other clauses, they might be characterised, with hardly a single exception, as a mitigation of the stronger portions of the original measure. He hoped that the House would apply itself to this measure sedulously and dispassionately. On the part of the Government, he said that when the bill was in committee, he was, on all questions of detail, ready to enter into the consideration of them, in a conciliatory spirit, sincerely desirous that the measure might come out of committee well matured. He was thoroughly ready to make such concessions as might be felt to be necessary on the part of the poorer classes; but with his affectionate feeling towards them, and with the deepest desire to promote their interests, he considered that he should act with treachery towards them, and basely betray the duties of his office, if he consented for one moment to forego pressing upon the Legislature the paramount importance of renewing the commission, not for one year, but for five years at the least.

Mr. Hume had always supported this measure, and had always advocated the maintenance of a central authority. But when he referred to the state of Keighley, he was astonished that the commissioners had permitted the existence of such a state of things as were described there. The Poor-law was a bill for compelling the poor to support themselves by their labour; but then the House had passed the Corn-law, which prevented them from obtaining work. What was it that the people said? That they did not want charity, but that they wanted work, and her Majesty's Ministers would not allow them to have it. By so doing they were acting in the most cruel manner, and to their conduct was to be ascribed the existing distress amongst the working classes.

The vote which he would now give was the first vote which he had ever recorded against the Poor-law Bill; but really, when he saw such misery as existed around him—when he saw the Government determined to keep up the causes of that misery he could pursue no other course. If the right hon. Gentleman wanted to relieve the distress of the country, let him remove the pressure of the corn and provision laws. Let them all be swept away. Depend upon it, whatever hon. Gentlemen might say, the time was coming when they would be compelled to do that as a matter of necessity, which they might now grant as a boon. But there was a still gloomier prospect in store. The time might come when even the removal of the Corn laws would be too late to put an end to the mischief of which they had been the cause. Commerce arose from the interchange, between nation and nation, of the products of their soils, or the fruits of the industry and ingenuity of their inhabitants. As we refused to admit the produce of foreign nations, these countries in return would adopt measures to prevent the reception, within their ports, of our own manufactures. Every month aggravated the evil—a few months more might place the countries on the demand from which for our manufactures our own commercial prosperity depended, in a situation enabling them to reject these manufactures. Out of doors nineteen people out of twenty asserted that a free-trade in corn was the only remedy for the distresses of the country. He should firmly oppose the continuance of the commission for the proposed period of six years; but he did not by any means doubt the general principle of the bill. His doubt lay as to how that principle could be carried out under the system of monopoly adhered to by the Government. The New Poor-law and Corn-laws could not exist together—they could not carry out one when the restrictions imposed on prosperity by the other were in being. Before long there would be only two classes in this country—the very rich and the very poor—and, then, what would become of property? He had never seen the prospects of the country so gloomy as they were at present. During all other periods of distress they could look forward to some probable termination of it; but, at present, he saw no likelihood of termination until free-trade should have

been established. He wished to see the population of England assume a healthy manly appearance, by earning a comfortable livelihood by their own exertions; and until they allowed them free scope for their labour they were but frustrating the ultimate object of the measure before the House. It was not the poorer classes alone who would suffer by the continuance of monopoly; the time was coming when the higher classes would have most seriously to consider the extent of the evil, and would be compelled "to do unto others as they would that others should do unto them."

Mr. *Liddell* rose for the purpose of making a distinct proposition to her Majesty's Government. It was that, principally in consideration of the advanced period of the Session at which the bill had been brought forward, and in consideration of the very great changes which it proposed to introduce, Ministers would consent to limit that part of the bill to be passed this Session to the first five clauses. Those clauses might be passed in the form in which they now stood, or the commission might be limited in duration, as the House should see fit. Thus the machinery of the Poor-law would be continued, without detriment to the country. The subject might be taken up by Government early in next Session, and time would then be at the disposal of the House for the full consideration of the subject. The first five clauses of the bill comprehended the continuance of the commission, the number of assistant-commissioners, and provisions with regard to the operation of regulations of the commissioners, and the evidence of the transmission. By limiting the discussion to these points the Gilbert unions would not be summarily suppressed. The subject of the district pauper schools and the relief to casual poor would be open for further consideration. He did not concur in the proposition of the hon. Member for *Finsbury*, but he thought that, under the circumstances of the case, that hon. Gentleman might concur with his suggestion. By agreeing to it manifold objections would be got over, and many important points would stand over for consideration until next Session. Having said so much, he would add a word or two with reference to what had fallen from the hon. Gentleman the Member for *Montrose*. He believed that if they had free-trade in corn

to-morrow, it would not relieve in the smallest possible degree any portion of the existing distress. He had said so before, and he now said so again. He had been lately waited upon by a deputation from the north of England, who had given the most painful accounts of the state of that part of the country and the condition of the people. These gentlemen, like the hon. Member for *Montrose*, believed that the distress could be remedied by the means to which that hon. Gentleman had alluded. He stated to them in private that opinion which he had now stated in public—an opinion held, he believed, by every man who was aware of the price of corn at present in the northern parts of Europe, who was aware of the small quantity which could be had there for love or money, and who knew that for some time past the price of corn in the ports of the Baltic had been higher than in any of the provincial markets of this country. These facts spoke volumes in favour of the present system of Corn-laws—spoke, indeed, so strongly in their favour, that every person who was aware of them, must join him in putting little faith in the nostrums of the hon. Member for *Montrose*.

Lord *John Russell* said, the essential point before the House was the question of the length of time to which the commission should be renewed. He was of opinion that it was not by any means advisable in this case to prolong the commission for only one year, as it had been prolonged in another instance, and he trusted that all who supported the Poor-law would support the clause relating to the renewal of the commission. He would say nothing with reference to the proposition of the hon. Gentleman who had spoken last, which he had not sufficiently considered; but he must be allowed to state his opinion upon the advice given by the hon. Member for *Montrose*, who seemed to consider that they should not maintain the Poor-law in its present shape, because he differed from Government upon the subject of the Corn-laws. He was sorry that the hon. Member had introduced the subject at all into this discussion, and he regretted still more that the hon. Gentleman opposite had followed the example set by the hon. Member for *Montrose*, because he differed from the hon. Gentleman, and really his observations offered strong temptations for a reply. But, according to his view, there could be no alteration of the Corn-laws—



not even the total abolition of duties—which would make it advisable to continue a bad system of administration of the law for the relief of the poor. It was true that, if the Corn-laws were on a better footing, there would be fewer poor to require relief from the Poor-laws; but there would always be a considerable number of poor to receive parochial relief, and it could not be advisable, because they had a system of Corn-laws, of which the hon. Member for Montrose did not approve, that they should on that account continue a system of Poor-laws, by which the improvident should be supported; by which relief should be administered in the worst possible manner; and by which the persons put in the direction of the law, should be unfit for the management of its operations. No circumstances could ever make it expedient for this House to say, “We have so bad a system of Corn-laws, that we will have a bad system of Poor-laws.” The administration of relief to the poor was rendered more difficult by the present distressed condition of the country. The administration of any system would be rendered difficult by that distress; but it was their duty, if they thought that the present system was in its general principles good, to adopt that system, as it appeared to be recommended on its own grounds, and not with reference to the bearing of any other system upon it. He must, therefore, object to the motion of his hon. Friend, and leave it to the future discretion of the House as to what time it could bestow upon the discussion of those points of the measure which did not embody the continuance of the commission.

Colonel *T. Wood* had voted for the second reading of the bill, and he had stated then that he would vote for the first five clauses of the bill when it was considered in committee; but he thought that it was too late in the Session to go on with the consideration of the others, and as he thought then, he should vote now. It had been stated that the present condition of the country as regarded its pauper population was bad in the extreme; but he would remind the House that in 1807, when Mr. Whitbread introduced his Poor-law scheme, the number of persons receiving parish relief was upwards of 1,200,000, the number stated as at present existing; and this at a period when the entire population amounted to only about 8,000,000, whereas the population now amounted to 15,000,000 or 16,000,000.

Therefore, so far from the condition of the country being impaired, it was really improved since Mr. Whitbread's time.

Mr. *Ferrand* was convinced that the Poor-law commissioners and assistant-commissioners would uphold any system which gave them the control of the public money. He felt it due to himself as a member of the Keighley board of guardians, as chairman of the board, and as a magistrate of the county in which the union was established, to prove to the House and to the country, that a statement which had been made respecting him by a public officer, in a report now he believed on the Table of the House, was false and scandalous. [“Oh, oh.”] He would prove from the report of Sir J. Walsham, that the statement made by Mr. Mott was false. He would tell the right hon. Baronet, the Secretary of State for the Home Department, that the country had been betrayed when it placed confidence in the Government. The Government had been raised to power by the deeprooted hatred which the people bore to the New Poor-law. It was the detestation of that law which placed the Conservative candidates at the head of the poll. It was to raise their voices against that law that they were returned to that House, and he stood there to perform the duty for which he had been sent. The noble Lord opposite last year introduced his bill, and took his stand upon it. What was the consequence? The country, when the general election came, told the noble Lord that they would not have his bill nor him either. He would now call the attention of the House to some statements in Mr. Mott's report. He found that Mr. Mott said,—

“I regret to have to report to your board that the proceedings of the guardians are very unsatisfactory; in short, they are entirely at variance with the provisions of the law and the directions of your board.”

He begged leave to assure the House that the board of guardians of the Keighley Union had been carrying on the whole of their proceedings, since he himself attended the board, according to the express directions of the commissioners of Somerset House. This was directly contrary to the allegations of the commissioners themselves. He held in his hand the report of the Poor-law commissioners for 1839. The following passages described the state of the unions in Lancashire and the

northern districts, and the manner in which the law was carried out:—

"We are enabled to state generally, in reference to these unions, that the boards of guardians are proceeding satisfactorily in the administration of relief. . . . The same observations apply to many of the unions in the West Riding of York, which have been longest in operation. . . . The guardians are authorised to put the law into operation under and subject to the provisions of the 43rd Elizabeth, c. 2 (the old law), and are, in fact, a larger vestry, before whom the cases of the respective paupers are investigated either on their own personal application or from the report of the relieving officers, whose duty it is to administer the relief ordered by the board, and to inquire into the situation of the paupers making application, and the board of guardians have reason to believe that the real wants and necessities of the poor are more promptly attended to and relieved than under the old law."

He begged the particular attention of the House to these extracts, which would show the system by which the Poor-law commissioners gulled the public, sending assistant-commissioners over the country to deceive the House and the Government. He would take the liberty of reading an extract from the report of Sir J. Walsham, relative to the Keighley union, which would confirm what he had stated relative to the inaccuracy of Mr. Mott's report: [The hon. Member read such an extract.] One great cause of the increase of the rates was the bringing such numbers of men from the southern and other agricultural districts into the manufacturing parishes of Lancashire. It was a fact that some of these men were now receiving from the parishes whence they had been transported 13*l.* a year in aid of wages. If any improvement had been made in the working of the law, he would say that it was owing entirely to the exertions of its uncompromising and determined opponents, and of the boards of guardians, who had been obliged to set the commissioners at defiance, and act contrary to their directions. That was owing solely to the arbitrary, unconstitutional, monstrous, inhuman, un-Christian, un-English orders which the latter occasionally issued. Were such men, he would ask, to be intrusted with the administration of the workhouse test? He now came to the close of Mr. Mott's report; and what would the right hon. Baronet say when he heard what was there stated?

"Without proper workhouse accommoda-

tion I am afraid that other restraints upon the guardians would be of little avail. As the auditors are now elected, their services in many unions are but of little use, and no beneficial check can be expected through them. I have repeatedly ventured to state to your board, and all recent experience has confirmed the opinion I have before expressed, that even as a precautionary measure, in the manufacturing districts, where the poor-rates, until recently, have been comparatively light, the provisions of the New Poor-law are loudly called for; and that unless the Poor-law commissioners are empowered by the Legislature to enforce the provision for proper workhouse accommodation to aid the restraint upon relief to able-bodied paupers, there is nothing to prevent the pressure of the poor-rates in the manufacturing districts from becoming ten times more ruinous in their consequences and more dangerous to the public welfare than those which were unhappily witnessed in the agricultural districts of the south of England."

Now, he would ask the right hon. Gentleman what kind of poorhouses they were going to erect? The feeling in the north of England was most determined in opposition to this measure. The people there were unanimous almost to a man against it. The question they had to decide was whether the northern parts of England should be completely ruined, the working classes there be made determined haters of the institutions of their country, and the men of property be made to feel that every principle of the Constitution had been violated. The right hon. Gentleman knew it was impossible to carry out the orders that were issued; the commissioners knew it too, and yet, in spite of the state in which the union of Keighley was, they issued the orders to which he had alluded. He had no hesitation then in saying that the commissioners were more anxious to preserve their places and their pay than to care for the public welfare. Had the people of this country become so degraded from every principle that actuated their ancestors, that three Poor-law commissioners at Somerset House were rendered necessary for providing for the poor? He was now chairman of the guardians of the Keighley union, and, a short time since, when he found these peremptory orders had been sent down, as the chairman of the board, and as a magistrate, he officially communicated to the right hon. Gentleman, that if these orders were carried out, he felt convinced a breach of the peace would take place. What was the answer of the right hon. Ba-

ronet, the Secretary of State for the Home Department—the guardian of the poor of the country? That he could not interfere. But he would ask the right hon. Baronet whether he had not acted as the chairman of a board of guardians and as a magistrate of Cumberland? Did the right hon. Baronet allow any Poor-law commissioners to interfere with him? No. Then let the same motives which actuated the right hon. Baronet as chairman of a board of guardians in Cumberland be attributed to him in his position as chairman of the Keighley Union. He held in his hand an extract from a speech of the right hon. Gentleman on the 20th of July, 1839, and he could assure the right hon. Gentleman that “*Hansard*” had been a great comfort to him since he had had the interview with him. The right hon. Gentleman said the other night that he possessed considerable influence in Cumberland. The right hon. Baronet said, that he had considerable property there, and property generally gave influence; but at any rate he wished that he had more. The speech which he was about to quote was made when Lord John Russell moved the Order of the Day for going into committee on the Poor-law Bill; and the right hon. Gentleman then said,—

“When the commissioners of Somerset House came practically to consider the prudence of carrying out this regulation (the refusal of out-door relief), the inquiries they made, and the experience they had acquired, taught them the impossibility of giving general effect to the law. Uniformity was desirable. This rule, prohibiting the administration of out-door relief, so far from being general throughout England, was, he must say, somewhat capriciously applied. It was applied to certain unions in the south, but in the north the rule was not in operation. In Cumberland, in the union of which he was chairman, they were bound by no such regulation. An ample discretion was left them; they were not fettered in the least; and if they had not been left to the exercise of this unfettered discretion, he was bound to say, he should not have held himself responsible during the last winter for the conduct of that union.”

He said it was monstrous, it was most unjust, that three Poor-law commissioners so grossly ignorant as he had proved these men to be should make those orders, which, if carried out, must reduce this country to a state of anarchy and confusion—*increase the enormous rates—turn the aged and infirm out of their homes, and carry out the labour test amongst a*

population of 50,000 persons, who had now scarcely the means of getting a single day's employment. But let him ask the right hon. Baronet this—Were those orders issued by the Poor-law commissioners for the purpose of tearing from their homes persons of seventy, eighty, and ninety years of age, who were, to a considerable extent, relieved by the feelings of charity which imbued the breasts of their poor neighbours—that when a slight assistance from the board of guardians or rate-payers would enable them to be carried from the hearth on which they sat to their final resting-place in the churchyard, they were to be dragged to an union workhouse, in defiance of every human feeling, until the people were taught to regard a workhouse as a prison! Was it not monstrous that the commissioners should have issued those orders at that very moment in the Keighley Union, that, when carried out, and they must be if it were possible, would tear the aged and infirm from their peaceful homes, no longer to enjoy their evening walk by the mountain's side or in the shaded lanes, but to be immured within prison walls, and to have every feeling disregarded. He would tell the right hon. Gentleman and the country that the people would not submit to it. He would tell the right hon. Gentleman that they would not submit to it in Cumberland; they would not submit to it in Yorkshire. He would, for a moment, allude to what he considered an extraordinary circumstance; and that was, that when the noble Lord the Member for London, on the 21st of July, 1840, moved the third reading of the New Poor-law Commission Continuance Bill, there were absent the following Members of the present Government,—Sir R. Peel, Sir J. Graham, Lord Stanley, Sir F. Pollock, and Sir W. Follett. That was an extraordinary circumstance; but that very circumstance was the cause of hundreds of votes being given for the supporters of the Government at the last election. He himself then said to his constituents, “Trust in the Conservatives; you have tried the Whigs for ten years, and they have given you the New Poor-law and measures that have been to your great injury.” Their answer was, “Yes; but Sir R. Peel will not say anything at all.” He replied, “Trust to him; he does not promise everything and perform nothing; but he promises nothing and will perform everything.” But what said the right hon.

Baronet at the head of the Government on the 8th of February, on the bill of the noble Lord the Member for London, to continue the Poor-law commission for ten years? He said,—

"It was necessary for him to state, however, that in voting for the second reading, he reserved to himself the fullest right of judging of the propriety or of rejecting any of the clauses, and of dissenting from any provisions by which the power of the present law was to be increased or amended. He doubted particularly the propriety of continuing the commission for so long a time. He did not mean to say, that after an experience of a further continuance for a short period he might not come to the conclusion that the powers given by the present law should still exist; and that the continuance of the commissioners might not be advantageous, or that he might not deem such further continuance advisable; but it would, in his opinion, be more consonant to the opinion of the country that the subject should again, at a short period, come necessarily under the consideration of the House."

"Then," said the people, "Lord J. Russell proposed a continuance of the bill for ten years, Sir R. Peel only proposes it for five, and afterwards we shall come down to no years at all." However, the right hon. Baronet appealed to public opinion, and long before he did so he told the people, that the battle of the Constitution was to be fought in the registration courts. Now, the great argument of the persons who conducted those courts in the north of England was, that this particular law was contrary to the Constitution. Public opinion then carried the right hon. Baronet into power. He would ask him what was public opinion now in the north of England? It was almost unanimous in opposition to this bill. And he would tell the right hon. Baronet, that if he carried this law into the north of England, his Government would not exist two years. He should be very glad to hear what the hon. and learned Member for Bath would say upon the subject. It was said by some—"Oh! it works well in our neighbourhood—leave well alone." But how had it worked well? By saving the money of the ratepayer. Was the right hon. Baronet aware, that the Conservative press of the country was almost universally against him upon this subject? Was he aware that the daily press was taking up this question, and must work its way through public opinion? Was he aware that the weekly press was taking it up, and must shake him in his position?

Because, if he were not, he could tell him that it was so, and that no Government could stand long under such circumstances. He would give the right hon. Baronet two years to destroy the public feeling which had been raised in his favour. The right hon. Baronet could not resist public opinion, and the opinion of the press of this country; and he must ultimately yield to it. He wished to have a few words with the right hon. Baronet, the Secretary for the Home Department. The right hon. Baronet had the other evening, in rather, he must say, a warm manner, attacked him for using what he termed violent means for exciting an opposition to this measure. He plainly confessed, that since this law had passed, he had taken a determined and firm stand upon this question; he had addressed a public meeting of guardians and told them, that by every constitutional means in his power he would resist the measure; but, at the same time, he preached to them in the best manner he could the necessity of obedience to the laws. Was it right for the right hon. Baronet to attack him for that? The right hon. Baronet forgot that he himself had lived in a glass house. He must remember that he was a Member of the Reform Ministry. How did the Government at that time inflame the minds of the people? Was it not a fact, that they were in correspondence with the men who said, that there were thousands ready to march to London for the purpose of cramming the Reform Bill down the throats of the people? And did not the Government give them their thanks?—We have never refused (said the hon. Gentleman) to pay our rates in support of the poor of this country; we have never excited the people to attack the monarch while passing through the streets of the metropolis; nay, we have never advised the monarch for the purpose of carrying a measure to swamp one branch of the Legislature; we never have attempted to bully the House of Peers; nor have we advised a circular to be written to one branch of the Legislature asking them to forget their duty to themselves and to their country. No; I tell the right hon. Baronet I stand upon firmer ground. I appeal to the Constitution of the country, and taking my stand under the banner of that Constitution, come weal or come woe, I will fight the battle of the people. Then what did the right hon. Baronet (Sir Robert Peel) say in the debate that took

places on this subject on the 19th of March, 1841? He said,—

"He should consider the large powers intrusted to them, and, having devolved those powers, the greater they were the more jealousy must Parliament exercise with respect to their application, and the greater the readiness with which they must listen to any allegations of abuse. While he consented to the prolonged duration of the commission for five years, he must say that he wished the commissioners would watch the expressions they made use of with a little more circumspection. He thought that with the best intentions there was occasionally a harshness displayed in the vindication of certain principles which might be avoided consistently with the maintenance of the law, and the avoidance of which would tend to fortify the powers of the commissioners. To give an illustration of this, he would take for instance an official circular published by the Poor-law commissioners, one of those public documents directed by the board to be printed chiefly for the use of the guardians. In one of those papers he found the following expressions;—'One principal object of a compulsory provision for the relief of destitution is the prevention of almsgiving.' Why, he heard the noble Lord (Lord J. Russell) himself state that the Poor-law would completely fail in effect if the affluent withheld their alms. That was perfectly true; and he should abominate the Poor-law if he thought it relieved the rich from the duty of almsgiving. He was perfectly certain the Poor-law would fail if the affluent, relying upon its provisions alone, however improved the system of administration might be, felt that the moral obligation on them to attend to the wants of their poorer neighbours were thereby extinguished."

What, he would ask, had become of almsgiving? What was the result of the Queen's letter for a collection for the distressed manufacturers? Why, the New Poor-law had dried up the springs of charity, and the poor were to become prisoners, and wear a prison dress—men who had committed no other crime than taking advantage of the neglect of duty of their superiors, and to choose as their means of existence the poor-rates of the parish, which were given to them by their superiors under the old law. If the rich forgot their duty—if they broke the law—if the magistrates, who were the guardians and protectors of the laws of this country, forgot their duty in the south of England, could they wonder that the poor man forgot his duty too? He cared not who the man was who had not rather live in ease than earn his bread by the sweat of his brow. Providence had ordained that they, the Members of the House of Com-

mons, should not earn their bread by the sweat of their brow; but if through His beneficence He had placed in the hands of certain parts of the population of this country the means of existing without such labour, depend upon it they would have to give a true account of their stewardship. He had that night given his reasons for opposing the continuance of the powers of the commission. In the majority of the Government there would be some who were generally their opponents, but who advocated this measure; but he would beg from the opponents of the Government their votes upon this occasion. The right hon. Baronet might find on those (the Ministerial) benches some who would find it difficult to explain away their votes to their constituents, and who would stand by him in fighting this battle against the Constitution of their country; but the time would come when old English feelings would return—when they would ask themselves whether they had performed their duty as members of society? And whether they would stand by a Minister of the Crown, whatever his political opinions might be, who was disposed to defer to the opinions of a few against the feelings of a vast majority of the country?

Colonel T. Wood thought the time was come when the House ought to decide whether they would maintain the present law or repeal it. If the statements made respecting the operation of this law were well founded, it would be the duty of the House to consider whether they ought to renew it. He, however, did not believe that this law had produced the evil effects that were imputed to it. It was not because it was late in the Session that Parliament should shrink from the consideration of this question. He thought it was the duty of Parliament to take the whole measure into full consideration, and to decide whether it ought to be maintained or not. He had endeavoured to become acquainted with the operations of the Poor-law, and he believed it to be productive of good to all classes, and, above all, to the rising generation.

Mr. S. Wortley concurred in opinion with the last hon. Member, that they were bound to examine the details of the measure in the committee. If he failed in making the clauses of the bill such as he would approve, then he should take his stand against the bill upon the reception of the report or the motion for the third

reading. After the observations that had fallen from the right hon. Baronet he thought the question before them was whether they would continue the control of the commissioners under the system already in existence; and he had therefore no alternative, in justice to his own opinions as well as to his consistency, but to vote in favour of the motion of the hon. Member for Finsbury.

Mr. Wakley assured the gallant Colonel that no man in that House, or in the country, perhaps, did he owe so great a debt of gratitude as to his hon. Friend (Mr. Hume), who had lost his election for Middlesex, and made room for the gallant Colonel, in consequence of his having exposed himself to unpopularity by supporting the present Poor-law Bill; and he would venture now to predict that the gallant Colonel would just meet the same fate, and lose his election whenever he stood again for Middlesex, in consequence of the vote he was about to give now. The right hon. Baronet had acted like a prudent and discreet person under the circumstances, which were certainly rather adverse to his proposition, when he admitted that the opposition of his hon. Colleague was not a factious opposition, and thereby had left as it were the question an open question to hon. Members connected with the Government. He would ask the majority were they prepared to re-establish the power of the commissioners at Somerset-house, which was about to expire immediately, for six years longer? If they were not so disposed, then let them take care of the sort of decision they came to upon the next step they must take according to the course of these proceedings, or else they would find themselves involved in a difficulty from which they could not easily extricate themselves. They ought to be admonished by the state of society. Already they had hungry thousands throughout the country. Before they again met they would probably have hungry millions imploring for food, and they should pause and deeply reflect upon the danger of giving perpetuity to a law which was abhorrent to the great body of the people, and which was in its principle a measure of coercion. The right hon. Baronet had asserted the only safe course was to permit the commission to retain the power it possessed as at present constituted. He would ask the right hon. Baronet, would the passing of such a bill as

this contribute to or ensure the public peace? He believed it would not, and he hoped the right hon. Baronet would not try the dangerous experiment. What injury could be done to any living man, even to the commissioners at Somerset-house, by adopting the suggestion of his hon. Friend, and passing a temporary bill to continue those gentlemen in office and in the control they exercised in the union for another year. He had been strongly urged to resist the bill to the last extremity by persons out of doors, so as to let these gentlemen at Somerset-house die off as they must, at the end of this month; but after reflecting upon the awful state of the country at present, and the great probability of thousands on thousands being added to the list of destitute working men now appealing to the legislature and to the nation for relief, he was prepared to abate some of his objections to the continuance of the commission. In consideration therefore, that he believed the right hon. Baronet could not arrange a measure by the end of this month for the abolition of the commission which would be safe and practicable for the management of our poor, he had determined to give his assent to the proposition of his hon. Colleague, and suffer the commission and the law to remain for another year. In this he thought he and his hon. Friend had acted fairly by the Government. It was right they should act by the people in a spirit of conciliation, instead of standing upon abstract notions and speculative theories. He hoped the right hon. Baronet would consider the question in this light, and should therefore be glad if the right hon. Baronet did not take a vote upon the question to night, but consented to take four and twenty hours to deliberate on the subject. In the report of Mr. Mott relative to the Keighley union he confessed he saw in its spirit something to disapprove. The commissioner therein said of the poor, "They insolently claimed relief as a right." The poor had a right to relief. Did his hon. Friend deny they had a right? [Mr. Roebuck: I do.] Then he would say that any man who denied their right to relief might, perhaps, be a fit man to sit and legislate in that House on the subject; but he was altogether unfit to carry out a Poor-law, and to apportion or administer relief to the indigent and helpless. What said Mr. Mott, the assistant-commissioner, in his report, which

had been lately laid upon the Table? "The paupers insolently claim relief as a right!" said this Mr. Mott, in the papers which had been presented to that House by the Chief Secretary of the Home Department, whose servant he was. No right? Why, had they no right under the act of Elizabeth, which had existed in this country nearly 200 years? Or had the right to relief, conferred by that act, been taken away by the Poor-law Amendment Act? Would the hon. and learned Member for Bath assert that the latter act took away the right which the former conferred? Let them understand the principle on which they were acting. If the poor had no right to relief, then no man could be culpable for starving them. That was the inevitable corollary. If there was no claim to relief, who was responsible at law for starving them? But had the man who had dared to make this statement, "that the poor insolently claimed relief as a right," and submit it in a report to the House of Commons, been dismissed from his office? No; then if there were no other ground for opposing the proposition for continuing the Poor-law commission for five years longer, he would say that if this man were not dismissed that fact alone would with him form ground sufficient to justify the most determined opposition on his part to the bill. There could be nothing more unjust, nothing more dangerous, there could be nothing more calculated to disturb the peace of the million than that a public officer, employed in the administration of this law, should dare to say that a poor man had insolently demanded relief as a right. At the bottom of this same report it was stated—

"That two months afterwards, Mr. Ellis and Mr. Greenwood, to whom he (Mr. Mott) had stated the complaints which had been made, admitted that summonses might have been sent to the relieving officer to attend before the magistrates."

In the preceding paragraph it had been stated that the relieving officer had complained of those summonses as a grievance to which he ought not to be subjected, and Mr. Mott appeared to have interfered to prevent the magistrates from granting summonses against him. Well, it was admitted that summonses might have been issued; but these magistrates, Messrs. Ellis and Greenwood, said in explanation of the charge so made against *them*, that they always told the relieving

officer that the discretion in respect of giving relief was vested in the board of guardians. This was as much as to say to the relieving officer, "You have nothing to fear from us." Mr. Mott then adds—

"I said to them (the magistrates), that their interference, as magistrates, would have the effect of inducing the relieving officer to obey their suggestions, and in those districts where the guardians were not fully conversant with the provisions of the law such interference would occasion much mischief."

First, Mr. Mott told them that the guardians did not know their duty, and then, that if the magistrates interfered they would make the matter ten times worse. And this was the report which had been placed upon the Table by the right hon. Baronet (Sir J. Graham), with so much eclat. Why, if there were nothing else, this alone was sufficient to stamp the commissioners with disgrace, and to show that their object was to avoid, if possible, giving any relief at all under the Poor-law Amendment Act. This paragraph stamped more directly, and more odiously, the conduct of the Poor-law commissioners, than it censured the guardians of the Keighley Union. He would call upon the Government to remember that the screw might be turned upon hungry men too tightly. The distress, at the present moment, was also unprecedented. He found people everywhere complaining of want of business, and the poor labouring men were travelling about the country offering to work for any wages they could get. He had a farm ten miles from town, and he found people coming there begging for employment at any wages he might choose to give them, and when he gave them work they were not in the field an hour without asking for money to buy bread, being unable to proceed with their work even for that length of time for want of sustenance. These people at night slept in barns, or wherever they could get shelter, and their clothes were not off them for weeks together. Still, destitute as they were, they all said they would rather die than go into the union workhouse; and no wonder, for by law the workhouse was made a house of torture for the poor. He would not, however, on the present occasion enter into any argument as to the principle of that law; all he desired was, that the right hon. Baronet (Sir R. Peel) should take into consideration the feelings of the country in reference to this matter,

and the state of the public business at this advanced period of the Session, and consent to the proposition of his hon. Friend and Colleague, to renew the commission for one year only. He believed that proposition had been made (as his hon. Friend had stated) not from a factious spirit of opposition or from a desire to throw any impediment in the way of Government, but rather to assist them, and to serve the public interest. If that proposition were accepted by the Government—if they consented to renew this commission for one year—and if, in the meantime, the whole country did not express its voice in respect to this commission—if it should, on the contrary, remain quiescent as to the proposal for renewing it for six years, he would for one—though must reluctantly—submit to their decision, and cease to offer any further opposition.

Mr. *B. Cochrane* said, that it appeared to him that every law bearing upon the poor should have two objects in view; the first, that the relief should be speedy and effectual, and the other (and by no means the least important) object was, that the relief should be given in such a manner as should be acceptable to the people and call forth their gratitude—that it should be of that kind which blesseth both the giver and the receiver. The first of these conditions he believed had been fulfilled by the existing law. In spite of the work-house system, and the unlimited power of the commissioners, he believed the relief afforded was speedy and effectual. The question then came, how had it been received by the people? Did those who were recipients under that law look upon it as a boon and as a blessing; and did they feel grateful to the law for the protection it afforded them? He feared that so far from that being the case, the poor and almost every person in the country regarded the measure with much hatred, and almost with disgust. He considered there had been much over legislation in respect to this subject. The right hon. Baronet (Sir R. Peel) had on several occasions, in speaking of the measure, defended it, by a reference to the imperfections of the old law; but the imperfections of the old law formed no argument in favour of the imperfections of the new. He was of opinion, that the nearer a Poor-law approached the principle of voluntary contribution, the more likely was it to be effectual as a means of relief, and to call forth

the gratitude of the poor. When the commission of inquiry was first issued, reference was made to Scotland as the country wherein the management of the poor was best conducted, and afterwards Lord Brougham, when the existing law was brought forward, also alluded to that circumstance. Now the system of relief in Scotland was voluntary. The great argument against the old law was its expense, and he was prepared to admit that the existing law had effected a saving of 1,500,000*l.* a year, as it appeared by the last report of the commissioners, but this fact alone was not sufficient to show that in all respects the law was beneficial. It was not what they paid, but what was sufficient to provide for the destitution of the poor, to which they should look as the principal object of a Poor-law. They should legislate so as to call forth the generous sympathies of the people, and to induce them to habits of carefulness, by which they might be enabled to provide for their own difficulties, and to relieve their relations and friends. He had explained his opinions upon the subject of the Poor-law to his constituents at Bridport, and would not now act contrary to them. He would, therefore, vote for the proposition.

Mr. *Roebuck* said, that nothing showed more clearly the danger of party politics in measures of legislation than the discussion which had taken place in reference to this subject. When the bill was brought in, it was looked upon even under the most favourable circumstances as a dangerous experiment—not that its object was mischievous, or the means to be employed in carrying out that object were wrong or improper, but because it was seen that there would be brought to bear on the administration of the law a large portion of ignorance and vulgar prejudice, which would necessarily operate against the administration of any law, however good its object, which might have to encounter them. The Government of that period, which he did not favour or approve of, did its wisest and most humane act when it brought forward that bill. The prejudices of the people had, however, been excited against them for party purposes in reference to that measure, and the party opposite were now undergoing the fair retribution for the manner in which that prejudice had been so brought to bear against the administration by whom the Poor-law Amendment Act had



been introduced. He did not say that there was aught for him to find fault with in the conduct of the right hon. Gentlemen opposite, but there had been a spirit excited against the late Government at the last and the previous election by the hon. Member for Knaresborough and others, which was now bearing upon those right hon. Gentlemen. He knew that the right hon. Baronet (Sir R. Peel) had stated in language not to be misunderstood, that the Poor-law was a humane, a judicious, and a salutary act, and he was aware that that was still the right hon. Baronet's opinion, and that of every thinking man of his party. He was aware, also, that that was not the opinion of the hon. Member for Knaresborough. The right hon. Gentleman had expressed, much to his honour, even though the announcement had come somewhat late, his determination to make this great measure, connected with the interests of the labouring classes of this country, a Government question. He only regretted that the declaration had come so late. The right hon. Baronet must have known what was going on around, about, and behind him he must have known of the outcry that was raised at the election by the party opposite against the Poor-law, without denial or objection on the part of those who now composed the Government. Those right hon. Gentlemen were now consistently acting upon the opinions they entertained and had always expressed, but what he complained of was that they had permitted the party behind them to take advantage of the vulgar prejudice which had been raised up against this measure, and to employ it as an engine to throw out of power the late Administration. The just retribution was now coming upon the present Administration; and however insignificant the instrument, they had seen the annoyance it inflicted in the two-hours' speech which they had heard that evening. What was there in the bill that could justify such an outcry as was raised against it, and the charge of anti-constitutional principle with which they who supported it were constantly assailed? The hon. Member for Finsbury had asserted that the poor had a right to be maintained. He would not quarrel about words, or stop to ask the hon. Gentleman what he meant by the term "right;" but he would say that the law gave to the poor at this moment that right. It was the offspring of

the law—it was regulated by the law, for the purposes of the community generally. In what way, then, was the relief to be regulated? It was therefore now not a question of inherent rights, but merely as to the manner in which the law was to be administered. He did not wish to be answered by declamation, but he desired to learn the way in which he could best secure the benefit of those for whom he was there to legislate. He wished to discover a plan by which the destitute might be relieved, by which industrious habits might be fostered, and idle ones put down. This end he believed was to be attained by the present law. He defied those who declaimed against it to prove to the contrary. He spoke this advisedly, having taken the trouble to make himself acquainted with the provisions of that law—a precaution which he feared had been neglected by hon. Gentlemen whom he saw opposite. He defied them to show that the aged poor were not provided for under the present law. He repeated it, the aged poor were provided for in the act, and he had no doubt that the boards of guardians would receive the support of the commission in carrying that provision into effect, of which commission he was not altogether a supporter, and they would be doing no more than acting in obedience to the law if they afforded all possible comforts and relief to the aged poor out of the poorhouse. That was the letter and spirit of the present law. [Mr. Wakley: But not the practice.] And the practice too, he maintained. The aged were past the days of labour, and the law was both willing and careful to give them relief after they had gone through the days of their toil. So that all the outcry which had been raised only proved the benefit of the law, for every breach committed was but a continuance of the bad system which had prevailed before. As a lawyer he demanded proofs, and would not rest satisfied with vague, vulgar, and violent declamation, of which he had lately heard so much that he was heartily sick of it. He passed now from the case of the aged poor to the case of the industrious, able-bodied poor thrown out of work from no impropriety of conduct on their part. This was the problem; this was the difficulty with which every statesman called to the direction of public affairs had, in the present condition of the country, to deal—namely, how to pro-

vide for this class of persons, to prevent the mischief of allowing men to be reduced to absolute destitution, and at the same time not to foster habits of idleness and all the evils attendant on such a state of things. An hon. Member the other night proposed a grant of a million out of the public purse in order to relieve the prevailing distress, and the right hon. Baronet at the head of the Government, in a way highly creditable to him, met the motion in the face by a direct opposition. He said that to accede to the wishes of the hon. Member was impossible. And why? Not because he was insensible to that distress—not because he did not desire to afford every possible relief to the destitution of the moment—but because, as a statesman, he knew that if such a course should be followed on the present occasion, it would be appealed to as a precedent, and would be followed by other grants. Those to whom the task of making laws was entrusted, were bound to consider, not what will be the effect of those laws at the present moment, but what would be their effect in general. They all knew the circumstances which gave rise to the act of Elizabeth. A great number of charitable institutions had been suddenly suppressed by the reformation, and a large number of able-bodied paupers were as suddenly thrown upon the public for support. What was done? The state made provision for them. But the act of Elizabeth had been diverted from its purpose. The means provided for the relief of the poor had been administered to those who ought to have contributed to their support, and so vast and various had been the evils which had followed, that it at last became evident that something must be done to put a stop to the abuses which prevailed. What was the consequence? One of the first acts of the reformed Parliament was the introduction of a measure to meet the difficulty. He was prepared to say, at whatever expense of popularity he might make the declaration, that the men who proposed that measure were deserving, in spite of the obloquy which had been cast on them, of the highest renown, both for the humanity of their conception, and for the wisdom of their performance. He hoped, therefore, that those who lead public opinion on both sides of the House, would not yield to this vulgar cry. He hoped, they would not lend themselves to those who,

taking advantage of the passions of the moment, the mere outcry of ignorance and prejudice, used them for the benefit of their own individual interests. He would even ask them to go further. He called on them to prevent any man holding this language from enrolling himself beneath their standard. If there were any point with which, more than another, he felt more disposed to quarrel with the conduct of hon. Gentlemen opposite, it was, not their active assistance in the mischief, but their passive permission of the evil. They now felt the effects of this error in what took place around them, one Member after another getting up, and saying he was bound to the Government by the outcry about the Poor-law, and the hon. Member for Knaresborough, in the happy simplicity of his ignorance of the politics of that House, denouncing the right hon. Baronet, the Secretary of State for the Home Department, who felt as strongly as any man the benefit which had been derived from this law. He did not charge the Government with having echoed this cry; but he thought, that having on their shoulders the responsibilities of Government, and not engaged in a struggle for power, they ought to have got up and stated manfully that this was an outcry suggested by vulgar prejudice, to which they would give no support. What he asked was, how, in this country, with all her difficulties, her peculiar interests and relations, the really destitute poor were to be provided for—avoiding, at the same time, the possibility of fostering the mischievous and criminal idler. How was the problem to be solved? Was it to be solved by painting pictures of misery and distress in the poor man's cottage? Nothing could be easier. It would not be difficult to surpass even the extravagant eloquence of the hon. Member for Knaresborough on this topic. Here was the difficulty. The honest and industrious father of a large family might suddenly fall ill, and be thrown out of work. The benevolent feelings of our nature would say, relieve him, give him every support in your power; but next door to him might be found a mischievous vagabond, who, knowing of the existence of this feeling might take advantage of it for the purpose of enabling him to live in idleness and mischief. This was the problem to be solved, and he could tell them that declamation about the constitutional privileges

of Englishmen would not answer the purpose. But it was asked, if relief was to be granted as a boon? He answered, that he would give relief, because it was for the interest of the community that it should be given. And he would give it in that way in which the interests of the community demanded that it should be administered. He was not to be turned from his course by any outcry about constitutional liberty, or declamation about rights and liberties. But then he was met by the cry of the three kings of Somerset House. The hon. Member for Finsbury (Mr. Wakley) said, that he would oppose the new Poor-law if it were only from having read the report of Mr. Mott. In other words, because a person employed to pursue an inquiry makes a report which does not please the hon. Member, he will oppose the continuance of the commission. Now, that to him appeared a very inadequate reason. What was the object of that commission? Having determined the mode in which relief should be administered, the question was, how the machinery could be contrived so as to answer the objects in view. It was found, that the boards of guardians were liable to local influence, which might operate mischievously. That was shown to be the case during the agrarian disturbances in 1839. Therefore, those who took a more accurate view of the matter than the hon. Member for Knaresborough, thought it necessary, however painful it might sound to the ears of some hon. Gentlemen, that a central power should be instituted, a word which some were fond of cavilling at under the word "centralisation," fancying that they had hit upon an abstract term. That was the whole reason for the creation of the Poor-law commission. He confessed, that it might be better to place the power in other hands. He would not deny, that he should prefer placing it in the hands of the Secretary of State; but was he, on that account, to quarrel with the system? He wanted an answer to his question: how the state is to grant relief to the industrious poor, having regard not only to the poor themselves, but also to the interests of the community. He wished somebody to explain to him how they were to provide for the industrious poor, and at the same time not to make their position more agreeable than that of the honest independent labourer, so as to create a desire

in the poor to support themselves by independent labour; and, whilst they discouraged idleness, paying, in the administration of relief, the greatest attention to the feelings of the aged poor. Such a measure, he maintained, would not in any degree militate against the principle of the new poor laws. That being his view of the measure, he was now prepared to vote for that commission by which its permanence was to be secured. The only quarrel which he had with the late Administration, with respect to this law, was that they had put off from year to year its permanent establishment. Had he been at the head of that party he would have perilled his ministerial existence on that measure, and fearlessly incurred all the odium which he might have incurred in making that act the fixed law of the land. Knowing, as he did, the feeling of those at the head of the party on the other side of the House, he should have confidently reckoned on their support. The outcry had not been raised by the industrious poor. It had been got up for petty purposes; each parish had its little junta who had cheated both the parish and the poor. These were destroyed by the new Poor-law, and were of course interested in its abolition. Under these circumstances, believing that it had been productive of the greatest advantage to the industrious poor, whatever might be the outcry out of doors, whatever might be the feeling of those who pretended to guide popularity, he was fully prepared to take his share of the responsibility, and to vote for the permanent continuance of this measure, which he believed to be both generous and humane.

Sir R. Peel said he must first address himself to the appeal of the hon. Member for Finsbury, who had expressed a hope that her Majesty's Government would signify their acquiescence in a proposal made from the other side of the House, with respect to the postponement of the bill for a renewal of the Poor-law Commission. It was not in his power to hold out the least expectation of any such acquiescence. Her Majesty's Government had laid before the House such measures as they believed best calculated for the public service, and they asked the House, after due deliberation, to pronounce an opinion on those measures. He admitted the support that her Majesty's Government had received in the course of the session. He admitted that the opposition had been throughout

a fair one. On that point he had no complaint to make, and he confessed that on that very circumstance he had founded his expectation that the Poor-law Bill would not be met by any merely factious opposition. He now hoped that if the sense of the House should be clearly manifested, that it was inconvenient thus to postpone the bill from year to year, hon. Gentlemen would then abstain from offering to the bill that species of opposition which lessened the time to be devoted to the public business, and which, after the sense of the majority had been duly and after full deliberation obtained, appeared to him to be at variance with their functions as legislators. He spoke sincerely when he said that he had full confidence in the good sense of the minority, that they would not, after the sense of the majority should have been manifested, obstruct the course of legislation by any factious opposition. Ample time had been given for the due consideration of the measure. Last year the proposal had been made that the commission should continue for five years. Obstruction was offered to that proposition, and a temporary annual act was passed. Now they had arrived at precisely the same point again. He would now draw the attention of the House to the subject of the petitions that had been presented on this question. He found, after a distinct notice had been given on the part of the leading men of both parties in that House, that they were disposed to acquiesce in a measure for the continuance of the Poor-law for five years, it being perfectly notorious to the whole country that the act would expire in July 1842—it being perfectly notorious that a proposition would be made in the course of the Session to continue the law—there had been only 108 petitions presented against the law, signed by not more than 25,000 persons out of the whole population. He referred not to that petition with 3,000,000 signatures; but to those having express and direct reference to the subject of the Poor-law. Now, it was his conviction that if the deliberate opinion, nay, even the prejudices of the country, had been against this law, that more than that number of petitions, and more than that number of signatures would have been brought into that House. The hon. and learned Gentleman who last spoke had contrasted his former conduct with his present, and had said that he was

suffering the infliction of the eloquence of hon. Members on account of his forbearing to declare positively his opinions on the subject. He must declare that infliction to be entirely unmerited on his part, as he should presently be able to show to the satisfaction of the hon. and learned Gentleman. No man had a right to misrepresent him, and to deceive the public on that point. The hon. and learned Gentleman has asked him why he did not compel all his party to agree. Why, it certainly was difficult to bring everybody into implicit acquiescence in every thing. During those years that he had had the honour of leading the Conservative party, he had received very strong proofs of their disposition to acquiesce in the advice which he had felt it his duty to submit to them. But he had never expected to exercise, nor indeed, was it reasonable he should so exercise a sort of censorship over their opinions upon the Poor-law: nor did he feel bound, if he discovered that any Gentleman entertained different opinions to his on that point, to remonstrate with him either in public or in private. He did not think the noble Lord opposite had been more successful with his party in that respect. He could not undertake to be responsible for the opinions which individual Gentlemen entertained with regard to the Poor-law—he could not undertake to remonstrate with them on the subject. He believed they would revolt against any such attempt on his part. And although he might occasionally be inconvenienced, he did not think that the interests of the country would be promoted by any such servile acquiescence. What indeed, could he do? The party was large. He had not time for private remonstrances with more than 300 Members. On all proper occasions, he signified his own opinion—he had done so in the present instance. In 1834, the Government brought forward the Poor-law. It afforded a tempting occasion to a dishonest politician to oppose them. But the Duke of Wellington and himself had given them a cordial support. He supported the Poor-law at the time when a great clamour was raised in the country against the measure. He thought that the Government acted a manly and honest part in bringing it forward, and he gave them what assistance he could. With regard to elections, he had never availed himself then of the prejudices on the sub-

ject of the Poor-law—he should have been ashamed of an advantage so gained. There was a general election in 1837. His own election took place at an early period, and the purport of his declaration must have been known before the county elections took place. His support of the Poor-law Bill was unpopular in the place he represented. On the hustings he was asked the question whether he would support the Poor-law, and to that question he would read his answer, and then ask the hon. and learned Gentleman and the House, whether it were possible for a public man and the leader of a party to make a more explicit declaration upon any subject whatever than he made on that occasion. He was interrupted on the hustings by a cry of, “Did you not support the New Poor-law?” His answer was this:—

“There is no question of public concern that I wish to shrink from replying to, and I therefore tell you plainly and above-board, that I did support the Poor-law. But I did not support it merely because it would have the effect of making a reduction in the amount of the rates paid by you; for that is the least benefit I think it confers on the country, but because the moral and social condition of the poor of this land has been for a long period becoming deteriorated and degraded, and because I wanted by the agency of that law to raise them again unto what they were in former times, a peasantry respectable in station, independent in feelings, and comfortable in circumstances. These are the grounds on which I supported that measure. I supported it out of friendship for the poor, and for the purpose of improving their condition—for no other reason whatever. If any of its enactments are found to be harsh, I did not make them, and I am ready to assent to their modification. But I believe, on the whole, that it is a bill calculated to elevate the social and moral condition of the poor of this country. It is therefore I have supported it—it is therefore it shall have my support.”

Could a declaration be clearer? There was another general election in 1841, and then it was tolerably extensively known, that by every vote on every division, he had supported the Poor-law Bill in the course of the antecedent year. How could there be a doubt as to what his opinions were? He had spoken and voted in favour of the second reading of the bill. Certainly he had thought the term of five years preferable to that of ten, as originally proposed by the Government, and he had made some suggestions relative to the burial of paupers, and other points which her Ma-

esty's Government had thought proper to adopt. He had given his cordial support to the bill of last year; and one hon Member had told him that one of the reasons why he could not support his (Sir Robert Peel's) Government was, because he foresaw there would be no alteration in the Poor-law. On the hustings, then, in 1837, had he declared his adherence to the Poor-law, and again in 1841 had he supported it. He trusted he had now shown that there had been nothing in his recent conduct to give rise to a different impression, and that it was not his fault if persons chose to excite hopes in regard to the course which he was likely to pursue when in power. All he could do was to make explicit declarations, and with respect to the Poor-law his conduct had been in conformity with those declarations. He had supported, and he did support that law. He was surprised at the degree of forgetfulness which prevailed respecting the ancient enactments for the relief of the poor. The New Poor-law had been spoken of as depriving the poor of privileges they had enjoyed under the statute of Elizabeth. That declaration was founded in total ignorance and misconception of that law, and yet to this hour they heard constant assertions that there had been a violent invasion of the rights of the poor, as settled by the law of Elizabeth. He constantly heard the most warm panegyrics upon the 43rd of Elizabeth—that great charter of the poor, as it was called, and the most unfavourable contrasts drawn between that and the present law. It was worth while, for five minutes, to see in what respect the two laws differed and in what they corresponded. The hon. Gentleman must surely be unaware of the great similarity between the two. By the 43rd Elizabeth, the churchwardens and overseers of each parish were empowered to raise weekly or otherwise, by taxation, a stock of flax, iron, and other materials upon which to set the poor at work. That was the absolute right of the able-bodied poor to relief. Take three classes—the able-bodied poor, the children, and the impotent—and compare the provisions of the two acts as regarded them. With respect to the able-bodied poor, there was no statutable right recognised that they should receive parish relief without performing work in return. Take the case of the impotent. By the 43rd Elizabeth, the churchwardens were to raise the necessary

sums for the relief of the impotent, the aged, the lame, and the blind. It was the same by the present law. Then with regard to children, the act of Elizabeth empowered the churchwardens to take children and apprentice them; males until the age of twenty-four, and females till the age of twenty-one. So little disposition was there in the act of Elizabeth to recognise this indefeasible right to relief, that even in the case of children it demanded an apprenticeship from them on the terms he had stated, and with no power on their parts to dissolve the engagement entered into by the overseers on their behalf. With respect to the aged, impotent, &c., the churchwardens were to build habitations for them on the waste. Thus poor-houses were provided, and out-door relief was not necessarily given by the act of Elizabeth. Observe the signal and conclusive proof of the intent of the law in the following provision:—

“Be it enacted, that the father and grandfather, and mother and grandmother of a pauper, and the children of the old and blind, and impotent persons, being of sufficient ability, shall, at their own charge, relieve and maintain every such poor person according to to the rate that shall be directed by the justices of the peace.”

These were most prudent enactments in the law of Elizabeth to prevent that indefeasible right to relief for which the hon. Member for Finsbury contended. He had thus contrasted the two statutes with respect to the three classes of able-bodied paupers, the lame and impotent, and the children, and he had shown, that there was no distinction between the old law and the present. What were the grounds on which he had given his vote for the present law? He believed, that the existence of the commission operated as a check upon local abuses. He repeated the opinion, that if they were unwise enough suddenly to abolish that commission, they would have no guarantee against a recurrence of the abuses which had prevailed under the old system. In proof that his apprehensions on that point were not groundless, he would refer to the report of that very union of Keighley, which had been already referred to. He had listened to the hon. Member's speech with much attention, particularly the eloquent parts of it, where he had described the poor of Keighley as wandering among the green lanes in that neighbourhood, and

reposing on the side of the hill; but when he turned to the reality of the report, he found that the same hill was ornamented by a certain building used as a receptacle for the poor. The following was the description, as contained in the report relating to the Keighley Union:

“This building is a mere third-rate farmhouse of the seventeenth century, rented by the board of guardians as tenants-at-will of a Keighley charity. Being placed on a hill, and distant at least a mile from the town, it is not very easy of access, or (I suspect) very often visited by the guardians as a board. The situation, however, is (if otherwise inconvenient) unexceptionable for airiness and salubrity. I entered the house by a small kitchen, the master's, out of which opened a still smaller room, used as his bed-room, and also another kitchen, somewhat larger than the first, and appropriated for cooking purposes. It is also the dining-room for the women. Opening immediately out of this cooking-kitchen was a low room of (I should say) 24 by 17 feet, which serves both as a dining-room for the men and boys, and as a sleeping-room, and contains six very dirty-looking beds, at present occupied by fourteen individuals; viz., by an elderly man and his wife, in one double bed; by another elderly man in a single bed; and by eleven men and boys in the other four beds. Besides the beds, there were dining-tables, benches, half-a-dozen clothes-boxes, &c., lumbering about the room; and, (when I was there), six or seven men, women, and children sitting in it; each of these three rooms (whose collective length represents the whole length of the house), had a separate door into the yard. Passing up an indifferent staircase, I was introduced into a small bed-room, without ceiling, in which I found two elderly women sitting with the window shut, although the day was intensely hot. In this bed-room were four double beds, placed close together, and without any kind of partition or curtain intervening; two young and able-bodied married couples sleep in two of these beds; an elderly man and his wife in another; and the fourth is occupied by one of the women who was sitting there by her grown-up daughter, and by that daughter's two bastard children, four in all. Through this bed-room, there being no other way, I went into another unceiled bed-room, of similar size with the men's dining-room down stairs, viz., 24 by 17 feet; in it are nine beds, now tenanted by twenty-four women and children, and in one of the beds lay a young woman with her baby, who not only had been recently confined in that room (crowded as it is, and opening as it does out of another room, in which slept three men), but, being still ill, had to share her bed with another woman.”

That was the system which some Gentlemen sought to return to. He had been

asked to show why the people of England could not be trusted. The arguments put forth against him had been that the principle of the law was defective—that the rate-payers ought to be trusted—that the smaller the locality the greater the security against abuses—that the people of England ought to be trusted—that they would not tax themselves, and a great deal of similar trash. To these arguments he had directed himself, and he had said he thought a board of intelligent men, acting upon humane principles, did operate as a guarantee against abuse, a guarantee which could not be obtained if the separate localities were entrusted with the power in their own hands. Taking the document before him, let him contrast that advantage with the state of things in this very Keighley Union:—

“The chief abomination, however, was a wretched hovel immediately adjoining the dung-heap. This hovel, of about six feet square and six and a half feet high, yet with a small stove in it, though the window (if window it could be termed) was only a glazed slit in the wall, is used as a school-room; and, when I was there, contained the schoolmaster, (an old pauper), an unlucky boy, crying, in the corner, and a girl attempting to read, the door being, at the same time, shut, in order to keep the boy in; he and the other children being sadly addicted, as the matron said, to run out whenever they could—a circumstance not much to be wondered at. The two young married couples were out, the master and matron did not know where; but, as of discipline, classification, or industrial employment, the enforcement is absolutely impossible in Keighley poor-house, and as, in point of fact, it is an old parish poor-house, of the lowest grade, and nothing else, the egress or ingress of the inmates, upon any or no pretext, is, relatively, an affair of very little consequence. The arrangements at the Bingley poor-house differ but little, in their general aspect, from those at Keighley; but the Bingley house has two disadvantages from which the Keighley house is free—first, it is in the midst of the town, and of circumscribed area; secondly, it is part and parcel of a small gaol, there being no entrance to the gaol (which is merely a building added to the poor-house), but through the poor-house yard, the doors to both being within a few feet of each other. The bed rooms for males and females, at Bingley, are all intermixed;—one room, (though it can scarcely be called a room) is on the landing of the stairs, and just contains two beds, occupied by four women. There are also five other rooms, up stairs, opening into the same passage, and containing thirty-eight individuals, in eighteen beds; and when I visited the house, men and women were loitering about the several rooms, some sitting on

the beds, doing nothing, others (women) making the beds at five o'clock in the afternoon—one or two smoking, &c. The only access to one of the women's bed rooms (a kind of large closet, in which slept eight women and children) was through one of the men's bed rooms. Down stairs there were two small bed rooms, with worn-out lime floors; each of these small rooms contain two beds, appropriated to four people; and in one of them was an old woman, evidently dying. And that circumstance reminds me that, in both poor-houses, but especially at Keighley, the masters intimated to me that, when an inmate died, they were often compelled to let the corpse companion the living until it was buried.”

Let any one compare this state of things with that existing in workhouses regulated by the Poor-law commissioners. The hon. Gentleman says that the workhouse test was then in force, which accounted for the number of inmates in the house. That was an error; for the workhouse test had not then been applied. He would ask hon. Gentlemen, if these things existed—if it were true that the corpse shared the bed of the living until an opportunity for burial presented itself—whether they could point out an instance of any workhouse under the direction of the Poor-law commissioners in which such abominations were to be found? What was there to show him that he could safely trust to mere local superintendence, when such things existed? Observe, too, how long such a state of things might have existed if there had not been an inquiry! He believed, that, through the exertions of the commissioners, thousands of abuses had been detected and brought to light which before had been covered and concealed. Such abuses could not exist under the new law. In the former case the evil was silently endured; it was never brought out—it was as it were acquiesced in. But under the present law malpractices were brought to light, exposed, placed before the public, discussed and dealt with in every newspaper hostile to the New Poor-law; and in that fact there was security against abuse. The commission had prosecuted a most vigilant inquiry into the condition of the poor, and had thus given a new security for the honest operation of the law, and had operated as a material and important check against abuse. He thought that the hon. Member, instead of his eloquent description of the hills and lanes about Keighley, instead of this “babbling about green fields,” would have spent his time to

better purpose in investigating this poor-house, and in making the earliest representations to the Poor-law commissioners of its condition, and in inviting the attendance of an assistant-commissioner to aid the board of guardians in rectifying the evil. That would have effected more for promotion of the interest of the poor than entering upon a vigorous opposition to the law. He could not but believe from the declaration of the hon. Gentleman, from the earnestness and sincerity of his manner, that he was of most humane and considerate disposition; and surely these evils must have escaped his notice, although he was chairman of the board of guardians. He could not think, after the earnest and eloquent appeals of the hon. Gentleman to Christian charity, and his vivid exhortations to the House to respect the rights of the poor, but that the hon. Member must have been all his life under the impression that the poor of Keighley had been in the habit of passing their happy hours walking in the green lanes, and reposing upon the sides of the hill, and that he could not have been aware of these abominations in the work-house. The same evils might exist in other unions, and it required for the present the vigilant superintendence of the Poor-law commissioners to bring such things under the notice of the local authorities and of the public. On these grounds he gave his support to the bill; not as he had said in 1837, in consideration of the expense that was saved, although he must say, that to take from the means of the industrious for the support of the idle, was an act of the grossest oppression, and necessarily tending to encourage in him to whom you give this unprofitable relief a habit of idleness, and tending to destroy in him that sense of self-dependence which must ever be the best security to the working classes for the reward of their honest industry. For these reasons he could not acquiesce in the present proposal. He believed the sense of the House to be in favour of the measure of her Majesty's Government, and to that measure he must steadily adhere. If the sense of the House should be fully declared by a division to be in favour of the present measure, he trusted the minority would take the usual course under such circumstances, protesting if they pleased against the decision, but still acquiescing it.

Mr. Ferrand explained. Since the Poor-law had come into operation he had

refused to take the slightest step to carry it out. He had proved the reports unfounded—that Mr. Mott's report was unfounded; and he believed that the guardians and the rate-payers of Keighley would be able to clear themselves from the unjust aspersions that had been cast upon them.

Viscount Howick thought, that nothing could be more unsatisfactory than the explanation given by the hon. Member for Knaresborough (Mr. Ferrand) as to his conduct as chairman of the board of guardians of Keighley. The hon. Gentleman stated, that having an insuperable objection to the law, he had not thought it right to exercise any power in the administration of it. But it was certain, that the hon. Gentleman was entrusted with the management of the relief of the poor in the district in which such frightful abuses were proved to exist. That being the case, he wished to ask the hon. Gentleman whether he had in any way been checked or impeded by the commissioners in an attempt to remedy those abuses, or to prevent the continuance of them? Was it in consequence of any interference on the part of the commissioners that the Keighley work-house had been allowed to remain in so atrocious and disgraceful a state? If there had been no interference of that sort, then he must say that he thought the hon. Gentleman would have better manifested his regard for the poor, if, instead of directing all his energy to a resistance of the law, he had applied himself to the remedy of abuses so flagrant and disgusting. The state of things at Keighley afforded, in his mind, a strong and convincing proof of the necessity of the continuance of some controlling, supervising power over the acts of the local authorities. He agreed with the right hon. Baronet the Secretary for the Home Department (Sir James Graham), that the necessity for the maintenance of some such controlling power was greater than at any other time, now that the distress in the country was so extensive and general. If, as the right hon. Baronet stated, there were at this moment 1,200,000 in the receipt of parochial relief, nothing in his mind could more strongly show the absolute necessity of retaining some controlling power to direct the mode by which the relief should be afforded; because, when distress prevailed to this frightful degree, there could be no more miserable delusion, no more



fatal error, than to suppose that it could be mitigated, or in any degree diminished, by a more lax administration of the law. He agreed with those who thought that the distress of the country demanded the most serious attention of Parliament; but at the same time he was persuaded that relief from that distress was not to be found in a lax administration of the law; on the contrary, he believed that the existence of such extraordinary distress rendered it imperatively necessary that the utmost caution and discretion should be exercised in the mode of administering relief. He perfectly concurred, therefore, in all that had fallen from the right hon. Baronet (Sir R. Peel), as to the propriety and necessity of continuing the Poor-law commission. It was not his intention upon that occasion to go into the general question of the administration of the Poor-law; but he could not help saying, in reference to what had fallen from the hon. and learned Member for Bath, that, whilst he was ready to give all credit to the Government for the manner in which they had now come forward upon the subject—the manner in which they had pledged the credit of the Government to the maintenance of the sound and wise principles established in 1834—he still could not think that the answer given by the right hon. Baronet (Sir R. Peel) to the hon. and learned Member's (Mr. Roebuck's) charge, was not so complete as the right hon. Baronet seemed to flatter himself it was. Undoubtedly the right hon. Baronet had never personally expressed any opinion hostile to the new law for the relief of the poor. There was no inconsistency in the language now held by the right hon. Baronet as compared with any that he had formerly used upon the same subject. But looking back to a period of four or five years before the present Government came into office, and referring to what took place at that time, he could not help thinking that the right hon. Baronet, as the leader of a powerful party, did not take all the means that were in his power to discourage and to put down the agitation set on foot by his followers upon this subject of the poor-laws. He was aware that the right hon. Baronet could not be held answerable for the speeches and conduct of the whole of his followers; but, if he mistook not, at a recent election for Devonport, a gentleman very nearly connected with the right hon. Baronet

went so far as to say that he thought the continuance of the Poor-law would lead to an universal rebellion. He was aware that this was only an isolated instance, but he would still ask whether the countenance of the right hon. Baronet and of the Gentlemen associated with him in the Government had not been given, as a party, to candidates who came forward, at the late election, as avowed enemies of the Poor law, and rested their main hope of success upon the declaration of their hostility to it? With the views which the right hon. Baronet had always declared himself to entertain upon this subject, he certainly could not help thinking that he should have been at more pains to discourage the agitation, in the prosecution of which many of his followers were known to be active agents. He might apply the same remark to the right hon. Baronet the Secretary of State for the Home Department, whose inactivity in the repression of agitation against the measure was the more remarkable, as he had originally been a party to the introduction of it. Whilst office was yet only in prospect, neither the present Premier, nor the present Home Secretary had exhibited any disposition to repress an agitation which was directed against the then existing Government. Again, could any one, who remembered the former speeches of the right hon. Baronet, the Paymaster of the Forces, allow that right hon. Baronet, now, to take credit for having, always, been a discourager of the agitation against the Poor-laws. He would not say more upon the subject. Whatever had been the past conduct of the Gentlemen now in possession of office, he sincerely rejoiced in the course they now proposed to take, and promised them that they should have all the support in his power, in carrying this measure into effect.

Sir E. Knatchbull had not intended to address the House at all, nor would he have done so had he not been compelled by the imputations attempted to be cast upon him in the speech of the noble Lord who had just sat down. The hon. Member for Bath had also fallen into error, for he had always supported the general principle of the measure by his vote. He had, however, acted as an independent Member of the House, and had freely canvassed and opposed some of its details, and on some of them he had had the misfortune to differ from his Friends around him, especially upon the question of out-door relief.

Mr. *Darby* would, as he had always done, vote in favour of the principle of the bill, notwithstanding any insinuations which might be thrown out against him. Those on his side of the House had been accused of agitating on the question of the Poor-laws, but he would say that there was quite as much agitation on the part of hon. Gentlemen opposite. The hon. and gallant Officer opposite (Captain *Pechell*) had accused him of being silent upon the question now, but he had only waited in order that the present Government might have an opportunity of communicating with the Poor-law commissioners, and to see what might be the nature of their proposition consequent upon it.

Captain *Polhill* merely wished to state the reasons for the vote he was about to give, so that he might not hereafter be accused of inconsistency. He had hitherto generally voted against the measure, but on the present occasion he could not give his support to the motion of the hon. Member for Finsbury, and on this ground:—The principle of the bill had already been affirmed on two occasions, and he considered that it was unfair to the Government that they should now interpose any further delay. There would be plenty of opportunities of discussing details in committee; notices of many amendments had been given to be moved in committee, and, although, he now supported the bill, to several of those amendments he would give his support.

Mr. *O'Connell* said, when his hon. Friend the Member for Rochdale (Mr. *S. Crawford*) moved that the bill be deferred for six months, he was taunted as having done something exceedingly incorrect, he being an Irishman; he was liable to the same taunt, even in a stronger degree, being not only an Irishman but an Irish representative; and the argument he intended to use in favour of the motion of the hon. Member for Finsbury was, that the delay would be for the benefit of Ireland. He was in favour of that motion, because the Poor-law in Ireland was but an experiment. It was not rendered necessary in consequence of any abuses, it was wholly and entirely a new experiment. He opposed it, although he stood almost alone, but when it became law, he ceased all opposition, and tried to make it work as well as possible. He then said that a system of poor-laws was not suitable to Ireland, and he was sorry to say that his prophecy had nearly been verified already;

but when the rate came to fall generally upon the tenant, when the tax fell upon the farmers, it would be met with a spirit of resistance that would be fearful, he apprehended an insurrectionary movement more violent than any that had ever before occurred. As the interests of England were bound up with those of Ireland on the question, he wished to see the experiment in Ireland fully tried before they proceeded to legislate for any lengthened period for England. The conduct of the commissioners in Ireland had not given satisfaction—they were charged with not acting in the spirit of neutrality and fairness, which was a character they ought, if possible, studiously to avoid gaining. He thought, as the Irish law must come under discussion next year, that there would be a great advantage in taking the discussion on both together; therefore he would give his vote for the motion of his hon. Friend.

Captain *Pechell* would only trespass on the patience of the House for a few moments with reference to the statements of the right hon. Baronet the Paymaster of the Forces, and the hon. Member for East Sussex. Those hon. Members had stated that they had supported the principle of this bill. He found that on the 22nd of March, 1841, when the question was discussed as to whether the commission should be extended to 1846, or should terminate in 1843, the right hon. Baronet the Paymaster of the Forces, the Attorney-general, the hon. Member for East Sussex, and one of the present Lords of the Treasury, all voted for the limitation of commission to the shorter term of three years. He would still continue to pursue that course which he had hitherto taken with regard to this bill—a course which, he believed, was in consonance with the views of his constituents.

Lord *Eliot* thought himself bound to protest against what he considered the very unfair attack which had been made by the right hon. Gentleman opposite on the Irish Poor-law commissioners. He could bear his testimony to the zeal and integrity with which those commissioners had acted. Although the establishment of a Poor-law commission in that country was but an experiment, so far as it had been tried it had been eminently successful. It had been predicted that, when the workhouses in Ireland were opened, they would be crowded with able-bodied la-

bourers. It was now found, however, that there were very few able-bodied labourers in the workhouses, the great proportion of inmates being persons for whom such institutions were designed—the aged and infirm, women, and children. 100 workhouses had already been completed, and he believed the full number contemplated, 130, would be completed during the year. He could assure the House that the experiment had, so far, been successful beyond the expectations of the promoters of the measure. He was glad that the right hon. Gentleman opposite had not exercised his influence to excite opposition to the Poor-law in Ireland; and he hoped the right hon. Gentleman would still exert that influence in restraining opposition and affording a fair trial to the measure.

Viscount Sandon was desirous of explaining the grounds on which he intended to give his vote, lest his conduct might be open to some misconception. It was his opinion that it was desirable to confine the powers of the Poor-law commissioners within the narrowest possible limits. He thought that during the last two months the commissioners had evinced a disposition to reconsider and relax some of their most severe and extreme regulations—regulations which were wholly inapplicable to many districts of the country. He would like to see the commissioners continued in office for a short period longer, in order that an opportunity might be afforded of ascertaining whether they still continued to effect modifications in their former plans; and when he had seen the line of conduct they pursued, he would be ready to give an opinion as to whether they should be intrusted with the power for the term of five years. On this ground he thought that the commission might be continued for a year longer, in order that the House might be able to judge of the policy of adopting it as a permanent measure. He would, therefore, support the amendment of the hon. Member for Finsbury.

Mr. Cobden said, the hon. Member for Finsbury alluded to the distress which prevailed in the country, and observed that it demanded the consideration of the House. He wished to call the attention of her Majesty's Government, and of hon. Gentlemen who composed the majority in that House, to this fact—that, though the Session had continued for a period of nearly six months, they had not thought

proper to devote one evening to the consideration of the distress under which the country was suffering, with a view to adopt remedial measures. [*Cries of "Divide" and "Question."*] He would ask those hon. Members who appeared to be in such a reckless mood, whether this course was safe or honest? It appeared from the notices on the paper, that this Poor-law Bill would be met by a pertinacious opposition, which threatened to keep the measure in committee for some weeks; and what chance was there, he would ask, that during the short remaining portion of the Session they would be able to devote to the consideration of the distresses of the country that space of time which so important a subject demanded? He appealed more particularly to the right hon. Baronet at the head of her Majesty's Government. The right hon. Gentleman took office with an understanding—nay, on a distinct promise—that he would propose a remedy for the distresses of the country. He would say, too, that as the right hon. Baronet was aware of the sufferings under which the country laboured when he accepted the responsible office of Prime Minister, and as he had turned out other Ministers who did propose measures for alleviating the prevalent distress, it was the duty of the right hon. Baronet to attempt to prescribe some remedy for those sufferings. The right hon. Baronet had most distinctly said, that he would prescribe for the distress of the country when he had got his fee. Had the right hon. Baronet fulfilled this promise? [*"Yes"*] He wished hon. Gentlemen who said "*Yes*" would point out any particular measure proposed by Government which would relieve the distresses of the country. [*An hon. Member: "The tariff."*] He wished the hon. Member would point out a single article of the 750 comprised in the tariff, the proposed reduction of duty on which would afford any considerable advantage to the labouring classes. He need scarcely remind them that when the right hon. Baronet took office he met the House with a Speech from the Throne, in which special allusion was made to the unfortunate distress which prevailed in the country; and what had the right hon. Baronet since done to relieve the distress? What had been his subsequent proceedings? The right hon. Baronet had brought forward his measures, but had he told them that the tariff would relieve the dis-

trass of the country? Again he asked, what had the right hon. Baronet done? We had had, to be sure, the announcement of a begging letter from the Queen. He could assure the right hon. Gentleman that it was not by party victories in that House that he could settle the affairs of this country. He received accounts daily of the distress that existed—a distress that was increasing every month. They might be told that the right hon. Baronet had not had time to consider his measures, or that the measures he had introduced had not yet had time to take effect; but the Government were well aware that since they took office there had been plenty of time to increase the distress of the country to an immense extent. In such a state of things he maintained that they were not in a position to enter upon the discussion of a question that might occupy three or four weeks; but that they ought at once to apply themselves to the state of the country and provide a remedy. Hon. Gentlemen opposite were, he believed, incredulous as to the real state of the country. But he would communicate to them the contents of some letters which he had that morning received from Stockport. He had written to the person there whom he considered to be the most competent to give him information, and he held in his hand that party's answer, dated yesterday. He had written to him to furnish him with the amount of poor-rates paid by some of the principal concerns in Stockport. He was in a situation to state to the House the amount paid by three rate-payers of Stockport, and when he stated those amounts he should have afforded the best answer to those who insinuated that the manufacturers did not pay their fair share towards the relief of the poor in their own localities. The first person on the list had paid 343*l.* 18*s.* 4*d.* in nine months towards the relief of the poor; the next concern on the list had paid 476*l.* 2*s.* 6*d.* in the same period; and the third had paid during the same time 288*l.* [An hon. Member: What is their rental?] That I admit is an important question; but probably hon. Gentlemen opposite would be unable to show that any landowner in the country paid at the same rate in proportion to his rental as this millowner did. Not even the Duke of Northumberland. The second concern he had referred to, which had paid 476*l.* in rates during nine

months from the 16th of June to the 25th of February last, was rated at 1,904*l.* He would proceed to read some further extracts from his correspondent's letter. He went on to say:—

“But the accounts I have given you up to the 25th of February are not so bad as what has occurred since. The returns of the last quarter are double, and, if things do not turn, we shall be eaten up by paupers. If this distress continues, the whole country must be in a state of insurrection, and all your standing army will not be enough to maintain peace. You may for a while shoot the people; but we are going on worse and worse. Another mill is likely to stop in a few days, and then 200 more hands will be thrown out of employment. We are quite alarmed at these signs of the times.”

[“Name.”] He had another letter, and as hon. Gentlemen were calling for the name, he would tell them upon whose authority he was about to make the next statement. The gentleman in question, Mr. Hamer Stansfield, was, no doubt, well known to many hon. Members. Out of the population of Leeds, it appeared that no less than 4,300 families were receiving relief, which, on an average of four and a-half to each family, would give 19,300 persons receiving relief; added to which there might be calculated to be at least 10,000 more who were in want of relief, but did not apply, because, having no settlement, they would be removed. There were, at present, 431 heads of families, or about 2,000 persons, under orders of removal, and in every branch of the factories men were being discharged weekly. From all parts he daily received similar accounts—from Manchester, from Leicester, from Bolton, and other places. And this distress was by no means confined to the manufacturing districts—it prevailed also as acutely in the agricultural districts. He would read the House the contents of a letter he had received from Beaminster, in Dorsetshire, which he had received about ten days ago. From that letter it appeared that there had been no less than twenty-five fires in that district, the majority of which were believed to have been incendiary fires, within the last three months. Being incredulous on the point, he wrote again to the party, and he received for answer that he might, without the fear of contradiction, state that as the number of fires that had occurred, that also there had been a number since, and that at least two-thirds of those fires were

the work of incendiaries. His correspondent went on to say that he enclosed a handbill that had just been issued—that two mills had just been fired, and that many of these fires had taken place in villages where the violent language of the Chartists had never been heard. His correspondent went on to say, that he only stated the effects, not the cause—the people were miserably poor, and every month they were growing more so. He had the handbill by which 100*l.* reward was offered, and as the particulars had been sent to the Home Office the Government were, no doubt, better acquainted with the facts than their supporters were. Now, he would venture to appeal to the right hon. Baronet at the head of the Government, for he believed, with all the indifference of those who sat around him, that he was keenly alive to the importance of the subject, and he would ask the right hon. Baronet whether he was prepared to dismiss Parliament as he did last autumn, and allow the country to continue with such a prospect before it. He must say that he thought it would involve a peril which no Minister would risk. Whatever might be the feelings of the country now, when Parliament was prorogued, the feeling would become tenfold. Whatever lingering hope there might now be, would sink them into despair the moment that House ceased to sit. He therefore called upon the right hon. Baronet to say whether he intended to prorogue Parliament without entering upon the question of the distresses of the country, and without a specific assurance that they should be inquired into and some remedy applied. He sincerely hoped the right hon. Baronet would favour them with his views upon this subject.

Mr. *S. Crawford* rose principally to notice the remarks made by the noble Lord, the Secretary for Ireland, who said the working of the Poor-law in Ireland had been eminently successful. How could it be when the country was in such a state as it was in at this moment? The circumstances of the poor now were such that they could not be relieved in the poorhouses. They were in a state of starvation and no relief was administered to them. Application had been made to the commissioners, and their answer was that there were no means of relief, because the poorhouses were not yet in operation. The noble Lord said that the aged only were in the workhouses

—that was because there was no room for the able-bodied men. They had such a horror of the workhouse that they would rather starve than receive such relief. Upwards of 1,000,000*l.* sterling had been spent upon the poorhouses, and upwards of 50,000*l.* on the commission, and yet the people of Ireland got no effectual relief. The right hon. Baronet opposite, on a former evening, had impugned his right to take part in this question, because he was an Irish gentleman; but he apprehended that his experience of the insufficiency of the law in Ireland sufficiently entitled him to enter upon the question. The right hon. Baronet had also stated another reason why he should not be considered as an authority on this subject—that he represented a district where the New Poor-law had not been carried into effect. He admitted the fact, but the New Poor-law was on the point of being brought into operation there; it was hanging over the district like a sword suspended by a thread. He could not avoid expressing his regret at the speech of the hon. and learned Member for Bath (Mr. Roebuck). It was with the deepest concern that he had listened to a Member who on other occasions advocated the rights of the people speaking on this in advocacy of a law which violated the rights of the people, and placed the power over the community in the hands of individuals.

General *Johnson* supported the motion of the hon. Member for Finsbury, and objected to the bill on the ground that it contained no provision against an undue increase of unions or for reducing the size of them.

Mr. *Fielden* moved the adjournment of the debate.

Sir *C. Napier* seconded the motion.

Mr. *Ferrand* hoped the motion would not be pressed, and he implored the hon. Member not to press the motion.

Colonel *Sibthorp* objected to the adjournment.

Mr. *Fitzroy* said, that he intended to vote for the motion of the hon. Member for Finsbury. Being desirous of bettering the bill he would offer a fair opposition to it in its present shape, but when the opposition assumed so factious a character as the motion of the hon. Member for Oldham gave to it, a proceeding to which he would be no party, he should feel himself obliged, in the event of its being persevered in, to stay away from the debates

through fear of its being supposed that he would lend himself to a proceeding so derogatory to the character of the House.

Mr. *Wakley* said, that hon. Gentlemen were at perfect liberty to vote what way they pleased, and to stay away if they liked; but it was rather too much to accuse his hon. Friend the Member for Oldham of being actuated by factious motives because he merely moved the adjournment of the debate. His hon. Friend was anxious to address the House on Monday night, when it perhaps would be less important than at present; and he confessed he saw nothing factious or even unreasonable in his conduct, more particularly when he called to mind the protracted debates which took place upon the Irish registration question, and various other party questions in the course of last year. He cared not what might be said about faction; he had a duty to discharge to his constituents which he would endeavour to discharge. He defied any man to point out a single occasion where his vote could be said to have been influenced by factious motives. To the Poor-law he was opposed; to its principles he entertained the most unconquerable objection; and after the speeches of the right hon. Baronet the Member for Tamworth and the hon. and learned Gentleman the Member for Bath, he saw no reason or justice whatever in reproaching those who were anxious to see those speeches replied to with a factious intention. Let them have a full and fair discussion of the question by adjourning the debate. If the people were still to groan under the hardships and severity of the Poor-law, the opponents of the present measure must submit; but he prayed the House not to show itself impatient until they had at least stated the reasons which induced them to vote against the measure.

Mr. *Fielden* said, that he was anxious to address the House in answer to the speech of the right hon. Baronet the Member for Tamworth, and the hon. and learned Gentleman the Member for Bath, but such was the noise in the House, when he moved the adjournment, that his voice could not have been heard by the Speaker. Under these circumstances was it unreasonable or factious on his part to ask for an adjournment, after a debate of six hours? If the speech of the hon. and learned Member for Bath went unanswered, it might, on some future occasion,

be quoted and referred to by the right hon. Baronet the Secretary of State for the Home Department as "a speech of considerable ability." In his opinion it was a speech that might be easily torn to pieces, and he would prove himself capable of doing so if an opportunity were offered him; but he would not proceed to the task at twelve o'clock at night. The hon. and learned Member had shown that he knew nothing about the operation of the New Poor-law; for he had asked questions relating to the alterations in the mode of affording relief, that no man would have asked who was not as ignorant as an ass. In fact, the most manifest ignorance prevailed upon the subject, and, feeling that time ought to be taken to discuss and investigate it thoroughly, he would persevere in moving the adjournment of the debate.

The House divided on the question that the debate be adjourned:—For the adjournment 29; Against it 297; Majority 268.

#### *List of the AYES.*

Bernal, Capt.	Murphy, F. S.
Brotherton, J.	Napier, Sir C.
Callaghan, D.	O'Connell, D.
Cobden, R.	O'Connell, M. J.
Collins, W.	O'Connell, J.
Crawford, W. S.	Pechell, Capt.
Dashwood, G. H.	Plumridge, Capt.
Duke, Sir J.	Scholefield, J.
Duncan, G.	Turner, E.
Duncombe, T.	Wakley, T.
Dundas, A.	Wallace, R.
Hall, Sir B.	Williams, W.
Hill, Lord M.	Yorke, H. R.
Holland, R.	
Jervis, J.	TELLERS.
Lawson, A.	Fielden, J.
	Johnson, Gen.

On the question being again put

Sir C. *Napier* moved that the House do now adjourn, not from any factious opposition, but because of the manner in which the hon. Gentleman was interrupted who rose to address the House at half-past eleven. The question was one which required a fair discussion.

Sir R. *Peel* said, it should be remembered that the hon. Member for Oldham had given public notice of his intention to avail himself of all the forms of the House to delay the progress of this measure until the expiration of the annual law, which would take place on July 31. This would, perhaps, explain the impatience which had been exhibited by the House when the hon. Gentleman rose. He had given

notice of his intention to bring the tariff under the consideration of the House on Monday next, when it would pass through its final stage; but if such opposition were thrown in the way of public business, upon those who offered it must fall the responsibility of delaying the tariff. He should therefore propose, as there was no other alternative, to proceed to the adjourned debate on the Poor-law Bill on Monday, and postpone the consideration of the tariff to a future occasion, though he was satisfied that the author of the present motion would regret the delay occasioned to that important measure. He did not doubt the motive by which the hon. Gentleman professed himself to be influenced, but he hoped the House would remember the declaration made by the hon. Member for Oldham, and would do all in its power to prevent a practice from becoming a precedent which would prove so fatal to the character of the House and so destructive to the interests of the country, if one or two obstinate Members should, by means of the forms of the House, be able to obstruct the public business.

Mr. T. Duncombe hoped the House would have come to a decision on the question at an early part of the evening, but it should be remembered that the hon. Member for Oldham when he rose to speak to the question was met by a tremendous yell from the other side. The right hon. Baronet on a former occasion put a more favourable construction on the declaration of the hon. Member for Oldham by attributing it to momentary excitement, but he now appeared to think that it justified the impatience which was exhibited when the hon. Member for Oldham rose. Now, because opposition was offered to the Poor-law the tariff was to be postponed *sine die*. The right hon. Gentleman said, that those on his side of the House must bear the responsibility of delay, but he believed the country would say that the responsibility must lie upon the right hon. Baronet who had a large majority with which he could act as he pleased.

Motion for the House to adjourn, withdrawn.

Debate adjourned to Monday.

MINES AND COLLIERIES BILL.] Lord Ashley moved the further consideration of the report on the Mines and Collieries Bill.

Mr. Ainsworth objected to proceeding with the bill at that late hour. If it were proceeded with he should move the adjournment of the debate. He would support the clauses relating to the non-employment of women in the collieries, but should oppose those clauses relating to the employment of boys.

Mr. H. Lambton thought the hon. Member had exaggerated the effect which this bill would have on the state of the workers in and proprietors of coal mines. The coal-owners of the north were prepared to adopt the bill.

Mr. Ainsworth had consulted many of the coal-owners of Lancashire and Yorkshire, and it was the general opinion that the bill would inflict great misery by causing the discharge of great numbers of persons.

Mr. R. Scott said, with regard to the north of England mines, they were different from the mines in Yorkshire and Lancashire; the bill could not affect them. He might also observe, that the bill would be an advantage to the owners of the northern mines, as it would throw impediments in the way of the working of the other mines.

Report received.

Bill to be read a third time.

House adjourned.

## HOUSE OF LORDS,

Monday, June 27, 1842.

MINUTES.] BILLS. Public.—1<sup>a</sup>. Drainage (Ireland); Railways; Limitation of Actions and Suits (Ireland).

2<sup>a</sup>. Dean Forest Poor.

Committed.—Slave Trade Abolition (Argentine Confederation); Slave Trade Suppression (Hayti); Slave Trade Treaties.

Reported.—Testimony Perpetuating.

3<sup>a</sup>. and passed :—Public Houses.

Private.—2<sup>a</sup>. Bromyard Roads.

Reported.—Sudbury Improvement.

3<sup>a</sup>. and passed :—Lord Sherborne's Estate; Gibson's Estate; Earl of Devon's Estate; North American Colonial Association (Ireland); Tadcaster and Otley Roads; Thames Haven Dock and Railway.

PETITIONS PRESENTED. By the Duke of Richmond, from the Newbury Union, to Exempt Union Workhouses from Rates.—By the Earl of Wicklow, from Fennagh, and the Earl of Bandon, from Cork, Mallow, Clonmeer, and other places, for Encouragement of Schools in connexion with the Church Education Society (Ireland).—By Lord Wynford, from Managers of Arklow Fever Hospital, against any Alteration in the System of Medical Charities (Ireland).—From Holling, Clough, Fairfield Head, Longnor and Heathilee, Quarnford, Wardlow, Lower Elkstone, Upper Elkstone, and Sheen, for Alterations in the Poor-law.—From Medical Attendants of the Dublin Dispensary, against parts of the Medical Charities (Ireland) Bill.—By Lord Denman, from the Yorkshire West Riding, Lancashire, and Cheshire Association of Baptist Churches, from Inhabitants of Warrington, Basingbourn, Melbourn, and Great Eversdone, for the substitution of

Declarations for Oaths.—By Lord Brougham, from Schoolmasters (Scotland), and from Schoolmasters and Ministers of Peebleshire, for Better Remuneration; and from Inhabitants of St. Saviour's, to be heard by Counsel against the Southwark Improvement Bill.

**AFFIRMATION BILL.]** Lord *Denman* spoke as follows: \* My Lords, I have the honour to call your attention to a measure, which has appeared to me to be necessary, for the removal of a defect of no small magnitude in the administration of justice. On several occasions, when such defects have been brought to my knowledge, I have considered it, in some degree, as a duty attached to the high situation which I fill to attempt the application of a remedy. I have had the good fortune, with the assistance of your Lordship, to pass some measures, of a simple structure and of no pretensions, which have proved highly beneficial to the interests of suitors and the public. The grievance to which I now advert is the exclusion of truth—an inevitable consequence of the rejection of such witnesses as are convinced that they are forbidden by the word of God to take an oath. The remedy which is suggested is efficient and complete—it has the sanction of experience as well as that of reason. This subject was first brought practically to my notice about four years ago, when two remarkable trials took place. A presbyterian gentleman was robbed and assaulted in Ireland, but the learned judges held his evidence inadmissible, because his conscience did not allow him to take the oath in the form which prevails in our courts. About the same time, at Liverpool, a similar outrage having been committed on a person who had formerly been a quaker, but had withdrawn from that society, his evidence was also rejected. I endeavoured to prevent the recurrence of this evil by a general measure, which your Lordships did not approve: but the error committed by the judges of Ireland was corrected by a declaratory act; and the privilege of affirming was extended by a new act to such as had left the Society of Friends. On both occasions, however, the notorious criminal escaped from the hands of justice. Nothing can appear more superfluous than to descant on the importance of freely admitting the truth to be disclosed in courts of justice; it is the first object of their institution. The noble Duke (the Duke of Wellington) has frequently expressed his strong opinion

upon this point, which indeed is too obvious to require or derive illustration from any authority. Yet it may not be improper to drop the general phrases to which all assent, without much consideration of their importance, and to remind your Lordships, in a few words, of the consequences that may daily arise from the exclusion of evidence from judicial inquiries. By the exclusion of evidence, the justest debt may be lost to the creditor; if it has been paid, the debtor may be deprived of the proof of payment, and compelled to pay it twice: in the ordinary occurrences of life, the wrong-doer may always triumph over the oppressed; the property of one man may be wrested from his possession and transferred to a stranger; a fraudulent pretender may obtain a seat in your Lordship's House, which he knows to belong to another, and thus obtain the high privilege of enacting the laws of the land. In the department of Criminal Law the evil is far greater. I have adverted to the escape of two criminals, through a supposed defect of the law in one case and a real defect in another, swelling the long list of examples of impunity, which give a fatal encouragement to crime. That the great mass of crime is growing amongst us appears too probable, since the number of prosecutions and convictions is increased, and the causes of crime appear to be multiplied. The ordinary stimulants have been for a long season unusually active, and some may be found almost peculiar to the age in which we live. Attentive observers have thought that a portion of the literature of the day has assumed an unfortunate character, exciting the youthful mind, by tales and dramatic representations, to sentiments of the most vicious and debasing tendency, throwing a veil of romance over meanness and cruelty, and exhibiting them in an impossible alliance with heroic courage, generosity and friendship. Many think that the love of notoriety—that universal passion—has been so fostered and directed as to exercise a baneful influence on public morality, operating on two classes of the community most widely removed from each other, but producing through both the same injurious effects. Persons raised above their fellows by rank, wealth and education, and still more by feelings of religion and humanity, carried to excess (if that be possible), have been supposed to indulge those

\* From a corrected Report.



feelings, and at the same time gratify the appetite for notoriety. They have made themselves conspicuous by ill-placed bounty towards the plunderer and the assassin; not content with exhorting them to penitence and prayer, and consoling them with a humble hope for mercy, they have surrounded them with the enjoyments of this world, and invested them with distinction and interest in the eyes of their fellow-creatures, which no other position could have earned for them. This patronage of criminals has displayed something like an indifference to crime; and the vilest and most abject have avowed that they have thus been tempted into outrages which have filled the public mind with horror and indignation. Whatever causes may have aggravated the amount of crime, the fact should awaken our efforts to repress it; but the present law cripples our means of resistance by the needless exclusion of evidence. Allow me to ask, what would your Lordships have felt—how would the public mind have been affected—if any of the wretches who have lately polluted the courts had departed without punishment through this defect? What, if a necessary witness to identify the open traitor, or to trace the proofs against the midnight murderer, had been reduced to silence by his own religious scruples, and the rigid exaction of an oath by the law? Even worse consequences might follow, in proportion as the erroneous conviction is more to be deprecated than the acquittal of guilt. Conspiracies to accuse falsely may be well laid; untoward circumstances may amount to proof; while the facts by which innocence can be established may be known to none but such as hold an oath unlawful. The present law shuts out the truth so tendered, and knowingly suffers the innocent man to be branded as a felon. When such a combination of facts occurs, where all the admitted evidence condemns, the verdict must be founded upon it, and the sentence must follow. There is indeed an appeal to the Secretary of State; and if a clear and satisfactory exculpation were laid before that high functionary, though proceeding from non-jurors, he would undoubtedly remit the penalty and direct a pardon. But the means and opportunity of making out such a proof must ever be uncertain at the best; prejudice and clamour may *drown the voice of truth*; the feelings of

the multitude may be inflamed by the public trial to a degree which would render all secret interference dangerous. Or if otherwise, why should the innocent man owe to favour what justice ought to secure for him? Why should he be pardoned who ought never to have been convicted? Why should the jury be compelled to bring in a false verdict, and the judge to pronounce an unmerited sentence? Why should justice be rendered unattainable by any other means than the defeat and exposure of the law? I am now to inform your Lordships that a large number of our fellow-subjects is in fact thus disqualified and excluded. They assign a literal meaning to the passage in the Gospel, and decline to take the oath which the law would impose. The Baptists are a well-known and a very numerous sect. The whole body consists of above 100,000 in England, and 5,000 in Scotland. I have this day laid on your Lordships' table a petition from seventy-nine churches of the Northern Association, representing a community which exceeds 50,000 persons. My noble Friend (the Marquess of Lansdowne) lately presented a similar petition from an assembly of thirty churches in the south. Associations of less extent, and particular congregations, have also appealed to your Lordships' enlightened sense of justice and expediency. I have been in communication with many pastors of these numerous flocks, who assure me that, while they all desire to see this yoke removed, at least one in ten of the whole sect deems oaths unlawful, and would rather submit to any suffering than violate this religious duty. The sect of Independents has for many years maintained a respectable position in this country; a large proportion of them entertain the same opinion. Several members of other religious bodies, Christians of various denominations, some who adhere to all the other doctrines of the Church of England, and even some Roman Catholics, are conscientiously convinced that they ought not to take an oath, in defiance of what they deem a direct prohibition uttered by Divine Authority. I would that these petitioners could state their own case, their opinions and their wishes personally to your Lordships, you would be convinced of their sincerity at least, and you would not see in their creed, however erroneous it should appear to you, the slightest reason for keeping them out of the protec-

tion of the law. They are anxious to co-operate with their fellow-subjects in bearing all the burdens imposed upon them by the constitution. Their interests are affected in various ways:—young men, qualified by talent and study for the learned professions, are deterred by the preliminary oaths; clerks and inferior servants cannot find employment, because they cannot depose upon oath to facts of ordinary occurrence. Some gentlemen of high character have resigned important offices of considerable value, because they involved the administration of oaths. Your Lordships will naturally inquire what corrective is now applied by the law to the unquestionable evils which it produces. Before that corrective is described, the tale of grievance is but half told. The corrective is an intolerable aggravation. This is the substance of the controversy which arises in our courts:—The person who attends his summons as a witness is ready to depose to the facts in his knowledge; he is told that he cannot be allowed to do so, unless he swears to speak the truth. Conscious of this duty, and prepared to discharge it, he still remonstrates against the oath; when peremptorily ordered to lay his hand on the Gospel and swear, he answers that he has meditated on that sacred volume from his youth up, has yielded entire deference to its authority, and laboured to conform his life to its precepts, among which he finds none more direct and binding than the simple injunction, “Swear not at all!” Nothing can be less important than my own sentiments on any matter of this kind; but I beg your Lordships to understand that I do not share this scruple, nor bring forward my proposal from any personal motive whatever. I have no wish to maintain the correctness of the non-juror’s opinion beyond this:—that it is by no means too absurd to be sincere; that it neither bears the character of wild fanaticism that impeaches the understanding, nor is so obviously contradictory to reason as to draw motives into suspicion. The rules of biblical criticism may fully justify those who believe oaths to be lawful; but the adherence to the plain words of the New Testament, however satisfactorily shown to originate in error, is an error of a very different kind from that of engrafting something arbitrary and extraneous upon them. The non-juror is all this time standing before the tribunal. He

has given his plain reason for refusing to take the oath, and persists in his refusal. What duty does the law impose on the presiding magistrate? Hitherto, my Lords, I have pleaded for the public against the exclusion of testimony; I have pleaded for individuals who are virtually outlawed by their exclusion; I now plead for the magistrate, and beseech your Lordships to attend to the situation in which he is placed. There is but one duty imposed upon him by the law in this crisis—the duty of menace and coercion. He must warn the reluctant Christian that much temporal annoyance awaits him, if he perseveres in what he deems his duty to God. If the warning succeed, if the courage give way under the threat, his compliance degrades him in his own estimation and in the face of the world; by consenting to become a witness, he proves himself unworthy of credit. If he still refuse, the magistrate has no alternative. However he may respect the conscientious scruple, though from personal acquaintance he may know its sincerity, he is compelled to refuse the proffered testimony, in which he would fully confide, and for want of which his judicial power is paralysed; and he must consign his fellow-subject to a dungeon for the crime of too faithful an obedience to the declared will of the Saviour of mankind. Such scenes have recently been presented, reflecting little honour on religion or on justice. The unseemly spectacle will be the more strange, if it happen that the non-juror who is hurried into custody should at the same moment hear testimony given on affirmation by one who was formerly a Quaker;—if he should see both a Quaker and a Separatist actually seated in the jury-box, to decide on the life of a fellow-creature without an oath. To them the law has granted this privilege merely because they hold the faith for which their fellow Christian is proscribed and punished. The only principle on which this severity is now inflicted, is that of making the non-juror an example to others in the like case offending. The State has formed one opinion on a religious point, and is resolved that none of its subjects shall hold a different one. Let us not disguise from ourselves that here the spirit of persecution is in full operation, but let us consider what hope of success the attempt holds out. In an interesting volume, (for which I am in-

debted to the kindness of its author, Mr. Chambers), "A Collection of American Criminal Trials," I have lately read a narrative of proceedings against the Quakers in the middle of the seventeenth century, in the colony of Massachusetts. Many suffered death for their opinions, and those opinions were but the more widely diffused. The colony of Rhode Island pursued the opposite course. There they were left unmolested, and the heresy died away. In this country, about the same period, the Quakers underwent severe sufferings, and one of the greatest enormities ascribed to them was, the tenet that oaths were unlawful. For acting upon it, they were exposed not only to fine and imprisonment, but might be transported for life. We learn, from 7th William 3rd, that

"Divers Dissenters, called Quakers, refusing to take an oath in courts of justice and other places, are frequently imprisoned, and their estates sequestered by process of contempt issuing out of such courts, to the ruin of themselves and their families."

But was their conversion effected, or their scruples overcome? Quite the contrary. They persisted in their refusal to swear, and Parliament, which had visited them with punishment so dreadful, now gave their affirmation the force of an oath, and attached the same consequences to its falsehood. The indulgence was at first qualified, and confined to evidence in civil causes; but it has gradually been extended to all cases whatever, and by the present law they are even permitted to perform the office of jurymen without that ceremony from which juries derive their name. The Moravians cannot with propriety be called Dissenters. The act describes them as an ancient episcopal church. The belief that oaths are prohibited is not an article of their faith, but an opinion held by many members of their body. The privilege of affirming, instead of swearing, has been granted to them all, and, at a subsequent period, to persons denominated Separatists. Emboldened by an experiment which is universally allowed to have been followed by complete success, I commend this general measure to the favour of your Lordships. Instead of exclusion, persecution, and measures of relief, partial, occasional and imperfect, I respectfully entreat you to withhold from none the right of disclosing *the truth*, for the protection of themselves

and the community—a right which has been granted to others on the same principle, and is not even suspected of having ever been abused. I am aware, my Lords, that strong objections are felt, and by persons of high authority, to my proposal. I have felt an earnest wish to understand and appreciate them; but what was urged on former occasions I have examined with all the attention in my power, and I frankly avow that my difficulty has been to find either reason or argument to contend with. Some persons really imagine that the imposition of an oath is all-sufficient for obtaining truth; these are few and inexperienced indeed; but even if their dream was true, it ought not to prevent us from obtaining the truth, wherever and on whatever terms it can be secured. Some also have assumed that a measure permitting oaths to be dispensed with, would lead to their abolition. I ask why this should be? It is neither the object, nor the natural effect of the measure. The great bulk of those who come forward as witnesses come forward to speak the truth. There seems to be no reason for their refusing to give it all the credit which the most solemn sanction can impart. I never heard that the Quaker infects his neighbour with aversion to an oath, or the love of affirming in preference. The supposition rests on no reason that I can discover, when the witness is honest and desires to speak the truth. That many are of a very different character, no man conversant with our courts will deny. It is well known that witnesses may be hired to swear anything; and it is objected that those who are relieved from the necessity of swearing will be still more ready to deceive. But the first proposition answers the second. If the suborner can be sure of purchasing a false oath, he need not look out for a false affirmation. He would only expose himself to greater danger of failure and disgrace. The penal sanctions of the law are alone efficient to deter men without principle from falsehood; such may, indeed, be found among affirmants, as they constantly are among swearers, but the imprudence of raising an additional argument against their being believed by a departure from the ordinary forms, will guarantee the public against the attempt. The next form of objection has always struck me as a sarcasm against religion itself. Many (it is said) will state a falsehood by way of

affirmation, whom the terror of an oath might retain within the bounds of truth. For my part, well convinced that the love of truth itself is the natural fruit of religious feelings, I am slow to believe that a sincere reverence to the Almighty can be found in company with the contempt of truth, and indifference to the welfare of his creatures. A scene occurs, not seldom, in judicial proceedings, which may have given birth to this opinion. A witness, who appears to be misrepresenting facts, is reminded of his oath, and falters; he is asked whether he will swear what he has stated, and he instantly retracts the assertion. Hence, it is inferred that the form and ceremonial of an oath are necessary to command and control him, where mere affirmation would fail. Those who have thus, with much self-gratulation, brought back a witness to a sense of his duty, ought, however, to bear in mind that their appeal is not made to the conscience only, or solely on religious grounds. It is a warning of the temporal, as well as the eternal consequences of perjury. It savours of the jail, of transportation, of the pillory, which, though abolished, is not, perhaps, wholly forgotten. But there is no doubt that the religious principle may, also, be called into action by a solemn adjuration. Suppose the witness had promised, in the impressive form now employed by Quakers, and copied in this Bill, would not the effect on a religious mind be equally strong? Would a real Christian be more affected by the name of an oath than by the admonition that he had declared his inability to take one, on account of the prohibition of Christ himself, but that he had solemnly promised to affirm the truth in the presence of the Almighty? We cannot doubt it, unless we persuade ourselves, with as little reason as charity, that all who profess the scruple regarding oaths are hypocrites, who practise a fraud that they may utter falsehood with impunity. If there are really those who seriously believe that they can elude the Divine Vengeance by false affirmation, if made without the ceremony of an oath, a little legerdemain will gain their object, though they may pretend to perform it with the gravest decorum. My noble and learned Friend, whose hostility to this measure I have so much reason to fear, (Lord Wynford), anticipates me in the mention of a trick often suspected, when the witness imprints the kiss on his thumb instead of the book. If he

has executed this manœuvre without detection, your threats will not shake his nerves; he has not sealed the bond, and cannot incur the penalty; or he will find some other salvo for his conscience—a mental reservation, or a plausible exception for this single case, and the resolution to make speedy atonement for his sin, by some acceptable service. On minds thus half-witted and unprincipled, religion has no real hold; the true method with them is, not to yield to their contemptible self-delusions, but to give them better instructions on their duty towards God and their fellow creatures. Their waywardness, their ignorant prejudice, is only less absurd than it would be to shape our legislation by deference to them, and, on their account, to refuse to thousands of honourable and truly religious men the relief to which they are entitled. The objection comes round—"How can we know that the witness really feels the scruple? We have only his own word for it." The answer is, that you have no other knowledge of any opinion entertained by any man. That he who, with his head covered, swears on the Old Testament, is a Jew—that he who calls for the Koran is a follower of Mahomet—nay, that a member of the Church of England is a Protestant, or even a Christian, you know from nothing but their own assertions or conduct. The security against this species of deception is, that no sane man can have a rational motive for stating an untruth upon the subject. If bent on fraud and falsehood, how easy to claim the privilege of a Quaker, a Moravian, a seceder from the Society of Friends, or a Separatist. You are already at the mercy of all who choose to give themselves these descriptives; but, with the sanction of penal consequences before their eyes—the fear of degradation and exposure in society—no one is found to run the risk attending this preliminary falsehood. An abuse of a different kind might be apprehended. Irsome and injurious as it is to classes of men to be excluded, by conscientious opinions, from giving evidence, many individuals are interested in avoiding that duty. In almost every case, there are some who, from fear or interest, wish to conceal their knowledge, to screen the culprit, or withhold their testimony from those unjustly accused. They may affect the scruple for the very purpose of being rejected, and leave the Court under false colours. On some former occasions, an

attempt has been made to disarm opposition to measures like the present, by granting the privilege to those only who shall have registered their names at some public office some time before they come forward as witnesses. This would provide security against an abuse apprehended by some—the false assumption of scruples merely for a particular trial. Convinced as I am that there is no such danger, I am no proper person to devise any security against it. But if your Lordships should deem it prudent and advisable, I would give the most respectful attention to any proposal of that kind, which could be fully discussed in committee. Those whose petitions I have presented would accept, with gratitude, the boon I ask for them, even if accompanied with such a condition, though, perhaps, the public advantage of the measure would be rendered less complete. In conclusion, my Lords, deeply convinced that I have brought to your knowledge an evil of considerable and, probably, of increasing magnitude, and have suggested a safe and a perfect remedy for it, I have the honour to propose that this bill be now read for the second time.

The Earl of *Wicklow* opposed the measure. The grievances complained of were extremely limited in number, and the cases of hardship few and in a great degree imaginary. The noble Lord had not shown one single case of injury to the administration of justice. If the bill passed what would be the consequence? Why, one half the religious communities would have objections to an oath. No sooner would it appear that the laws gave exemption to certain classes of religionists, than multitudes of others would press forward to obtain the same boon. He would infinitely rather vote for a bill for the abolition of oaths altogether than for this bill; for he had an insuperable objection to establishing two modes of evidence, one of which in public estimation would always be regarded as less binding than the other.

The Bishop of *London* said, the question was one respecting which he for one felt very considerable difficulty. He knew not whether he could make up his mind to give a vote on either side. The bill was founded on the scruples of a very respectable body of men—scruples which, though he did not concur in them, were still *deserving the consideration of their Lord-*

*ships.* He had no doubt that it was permitted by the Christian religion to take an oath on occasions of magnitude, yet he could readily believe from the brevity with which our divine Lord's precept was delivered, that other persons might entertain an opposite opinion on the point. The cases of hardship were not so few or so imaginary as the noble Earl thought. Amongst others there was a very remarkable instance of a highly respectable member of that learned profession in which the noble and learned Lord held so high a station, who had given up a lucrative employment rather than do that which he thought was forbidden by our Divine Lord. But he thought the question was too important and comprehensive to be dealt with in what he must call this summary way, for he doubted whether with the materials they possessed they were in a situation to give the subject such a full discussion as it deserved. Then their Lordships would do well to consider that if they passed this bill in favour of certain persons, who were undefined, it would lead virtually to the abolition of oaths in courts of justice. Now, oaths hitherto had been the great bulwark and security of truth. The noble and learned Lord said that the measure might be passed with perfect safety, but the noble and learned Lord did not profess to represent the opinions of the other learned persons who, like himself, were engaged in the administration of the law, and had opportunities of forming opinions on this point, and he should like very much to hear their opinions, to guide him in his vote. He should be glad if some method could be found by which their Lordships might arrive at those opinions. He was not, therefore, prepared to vote with the noble and learned Lord, though he thought the case was one which called for a remedy, and which must have a remedy before long. He thought the whole question of oaths was one of the most serious and solemn importance, and in his judgment it had not received the consideration which it deserved. Their Lordships must permit him to say, that wherever it could be made out that an oath could be dispensed with it was their duty to dispense with it. A very great body of the oaths now in use, particularly the oaths relating to real property, were a disgrace to the country. The careless and irreverent manner in which oaths were administered in courts of justice, not excepting the

highest court, their Lordships' House, were to his feelings most objectionable. He must repeat, he thought the whole subject was well deserving of the consideration of the Legislature.

Lord Campbell said, he had listened with great pleasure to some of the observations of the right rev. Prelate. He could corroborate the statement that there were many conscientious Dissenters who entertained scruples as to taking an oath, and there were others who entertained the same scruples who did not belong to any particular sect; might there not be also some who were members of the Established Church? He knew himself of one, who was a highly respectable man, and he had himself presented a petition from persons of the Roman Catholic persuasion in favour of the relief given by this bill. Beyond all controversy, there was a large number of sincere Christians who did entertain these scruples; and if so, was it fit and reasonable that, through such a cause, persons should lie in gaol, and offenders escape with impunity? It might be said that the punishment fell on the persons who entertained such absurd scruples; but plaintiffs in civil cases might endure wrong, and in criminal cases the innocent might suffer and the guilty escape. The Legislature had given relief successively, to Quakers, Moravians, and Separatists; as soon as a sect appeared relief was afforded to it; yet here was a large body of Christians not constituting a sect, feeling the same scruples, who were unrelieved. Why not consider all non-jurors as a sect and legislate for them as well as for Quakers, Moravians, and Separatists? Why was the community not to have the same protection of their persons and property in all cases? His firm persuasion was, that if the bill passed it would seldom be called into operation. He was not one to desire to see oaths abolished; he wished only to give a proper indulgence to religious scruples. He hoped that the bill would be read a second time and suffered to go into committee.

The Earl of Galloway had no doubt that the limitation of the number of oaths would tend greatly to advance the notion of their sanctity in the eyes of the public. But, notwithstanding what had fallen from the noble and learned Lord, he was not disposed to give his vote in favour of the second reading of this bill. He did not consider that the subject had yet under-

gone sufficient discussion. He doubted whether persons who had no conscientious scruples could not avail themselves of such an act to screen offenders from punishment. Till his mind was satisfied that there was a large number of individuals in this condition, or more conclusive arguments were offered, however desirous he might be to relieve persons from conscientious scruples, he could not agree to this bill.

Lord Abinger said, the topics urged in favour of this measure were very popular; it appeared to be for the purpose of relieving conscientious men from conscientious scruples; but there was another view of the question, which it was necessary to consider. If persons, professing to have religious scruples, had an opportunity of giving evidence without the sanction of an oath, there might be persons who, on the pretext of such scruples, would decline taking an oath. If any sect should arise entertaining such a scruple, he should not object to granting relief to them, as in the case of Quakers and Moravians; but there was no evidence that any body of men existed who had such scruples. After fifty years' experience in courts of justice he had only met with one such case, and that had been the day before yesterday, when, for the first time after a long forensic practice, a witness (a woman) objected to taking an oath. She stated that she was a Baptist; but upon his telling her that the taking of a judicial oath was not contrary to the Scriptures, she took the oath. The evil to be feared was, that persons would pretend to have tender consciences on this point. There had been half-a-dozen instances of persons who had given evidence before the House of Commons, and were afterwards examined upon oath in this House, and who, when questioned as to the difference between their testimony here and that given before the other House, have said, "Why, at that time we were not upon our oaths." Not only religious persons but others had a conscientious feeling as to the sacred obligation of an oath. A prosecution for perjury was but little regarded—it seldom succeeded. His impression was, that an oath is considered as a solemn sanction, and was generally observed. He had a great respect for the sect of Quakers, but he could not help saying that of all the witnesses who came into a court of justice Quakers

were the most disposed to fence with questions; he found that they seldom gave a direct answer to any question, and especially if the individual were a skilful man, he fenced with the question in a particular manner. He meant not to speak disrespectfully of Quakers, he was only describing a fact. With the experience he had of the abolition of oaths in the case of Quakers, he was not disposed to extend it. Oaths were in all countries a part of a system for administering justice; in all countries, there was the sanction of an appeal to heaven. It was said that a man who would not tell truth would have no scruple to take an oath, and violate it; but it was much more probable that such a man would avail himself of this bill, and profess to have religious scruples. Was there a sufficient body of Christians professing such scruples to render it necessary to pass such a measure? He said, "No." If the bill passed, then such cases would multiply. He thought it imprudent to hold out that in the administration of justice witnesses might not consider themselves under a solemn obligation, and he, therefore, was reluctant to consent to the abolition of judicial oaths.

Lord Brougham regretted, that his noble and learned Friend had permitted himself to say what he had said of one of the most worthy, honest, and excellent sects in this country. His noble and learned Friend had professed a great respect towards that sect; notwithstanding which he had permitted himself to say, that the result of his experience was neither more nor less than this—that, in giving evidence, there was a tendency on their part to constant prevarication, which was part and parcel of their religion. He entered his protest against this statement. He believed, he had known this sect most intimately, in public and in private, during a long and uninterrupted intercourse, and he could say, that it was the necessary result of their sincere and conscientious regard for truth, and for the solemn obligation of what they called an affirmation, and which we called an oath, that they entertained an equal abhorrence of its violation. He believed, that his noble and learned Friend had confounded their great scrupulousness of affirming as to matter of fact, with an attempt to evade a question and to prevaricate. It was because they felt the solemnity of the obligation that they spoke *so scrupulously*, which made his noble

and learned Friend think they were taking nice distinctions, whereas it arose from the rigorousness of their sense of the obligation. It had been said, that this bill might induce persons to escape an oath under the pretext of conscientious scruples. But the bill required a solemn declaration that the individual considered an oath repugnant to the law of God. If he made this declaration falsely, what could he get by it? He would violate a sacred obligation as much by making this declaration falsely as if he took a false oath. He escaped from nothing, and therefore no one would make the declaration unless he had a scruple of conscience, and *ex concessis*, if he had, he ought to be relieved. His noble and learned Friend had said, if there was any sect with such scruple, he would consent to relieve them. Did it depend upon the greater or smaller number of dissentients, whether persons should be considered a sect or not? How many dissentients were necessary to constitute a sect? Could not any one conscientious difference of opinion entitle the persons entertaining it to be considered a sect? It was not because a Quaker or a Moravian held different doctrines from that of the Established Church, that they were allowed to affirm, but because they had this particular scruple, this tenderness of conscience regarding an oath. If on that ground alone they were relieved, then any number of the community who differed from us on that point were a sect. It was immaterial whether there was any difference on other points; if they considered it unlawful to take an oath, that was a religious difference distinguishing them from other sects. They were then on the same footing as Quakers and Moravians, and Separatists, to whom relief had been given on this point. He would suggest, whether it would not be desirable to have this bill referred to a select committee for the purpose of hearing and taking evidence on the subject. It was not correct to say, that a small number of persons only laboured under these scruples, for they were entertained by a very large body of the community. He thought, the scruples groundless, but it was not for him to decide for others. He thought, those who entertained them wrong; but a great deal might be said on the construction put on the remarkable and solemn language on which these scruples were founded. At the same time, though

they might be wrong, those opinions were held most conscientiously; and the Legislature having given exemption to many on this ground, he thought, those who sought for this exemption ought to obtain it. If the subject were sent to a committee to inquire into, he had no doubt, but that much additional information would be obtained, and their Lordships might, in consequence, be induced to give their sanction to this measure.

Lord Abinger, in explanation, did not say that Quaker witnesses prevaricated. What he said was, "that you seldom got a direct answer to a question from them." His learned Friend said, "it was owing to their scruples," and he said, "he had occasionally made that apology for them—that their religious scruples prevented their giving a direct answer."

The Bishop of London suggested, that it would be better to refer, not the bill, but the whole subject, to a committee.

Lord Denman said, after the appeal made to him, he thought he should be acting very improperly if he were to press this bill to a division, and prevent this inquiry. At the same time, he withdrew the bill with very great reluctance. The subject had been repeatedly considered lately, and he might almost say, with some consideration, such a concession as he proposed by this bill would be found to be perfectly satisfactory to all who had the interest of the community at heart, and who would wish to do an act of Christian charity and mere justice to their fellow-subjects. The committee might with great propriety embrace considerations of other matters connected with the subject as to the mode of administering oaths. The noble Earl said, he had only brought forward two cases in support of his argument. Did the noble Earl see no cases reported of persons sent to gaol and having their recognizances estreated for refusing to give evidence at the Central Criminal Court? These were notorious facts. He wished, without going into all these particulars, to bring the subject before their Lordships, in a manly, well principled, straightforward manner. He, therefore, felt surprise, when it was said, that he had understated his case, and that he had not done justice to the petitions intrusted to him, because he did not bring forward the cases of A and B. His noble and learned Friend (Lord Abinger) expressed opinions which he (Lord Denman) heard with the utmost regret, and

from which he totally dissented. His noble and learned Friend said, that it almost appeared to be part of the religion of Quakers never to give a direct answer, and that he never saw witnesses who fenced so much with questions. His experience was directly contrary; he had often seen Quakers—baffling it was true the legal acumen of counsel—taking a subject to pieces and coming to the truth with the utmost care and accuracy, and stating what the truth alone required, and which would have been liable to another interpretation if they had not exercised that care which was called "fencing with the question." His noble Friend said, he did not mean to impute "prevarication" to them. He asked if it were possible to go away with any other conclusion from such a statement. His noble Friend said, he had never found any religious scruples, in giving evidence, till last Saturday, and those he had succeeded in allaying. Had his noble and learned Friend not had the good fortune to convince the witness that she might take the oath, what would his noble Friend have done? That was one of the strong points of the case. Were people to be sent to gaol for entertaining conscientious scruples? No one could contemplate the situation of the Church in relation to this subject without serious alarm and regret, unless it were supposed all those persons who held these scruples were not sincere, and that they came to courts of justice for the purpose of giving false evidence. He would take the liberty of adding, that the careful and solemn way in which Quakers were in the habit of giving the evidence appeared to him to be the correct way, rather than the slighting and flippant manner in which evidence on oath was often given. He believed, that a man entertaining religious scruples to taking an oath, and solemnly in the presence of God declaring the truth of that which he declined to swear to, was a better witness than many of the most obsequious followers of the prescribed forms.

The Lord Chancellor said, the course recommended by the right rev. Prelate was one which had occurred to him very early in this discussion to recommend their Lordships to adopt. The bill laid on the Table embraced considerations of the utmost importance, but at the same time only formed part of the subject; and he should suggest to the right rev. Prelate,



that the committee should be directed to inquire into the general subject of the administration of oaths, not confined to courts of justice.

Bill withdrawn. Committee to be moved for.

House adjourned at half-past seven o'clock.

## HOUSE OF COMMONS,

*Monday, June 27, 1842.*

MINUTES.] *BILLS. Public.*—1<sup>o</sup>. London Bridge Approaches Fund.

2<sup>o</sup>. Stock in Trade; Districts Courts and Prisons.

*Committed.*—Municipal Corporations.

*Reported.*—Buildings' Regulations (No. 2); Customs; British Possessions Abroad; Municipal Corporations (Ireland).

*Private.*—1<sup>o</sup>. Lord Sherborne's Estate; Earl of Devon's Estate; Gibson's Estate.

2<sup>o</sup>. Davidson's Estate; Vere's Divorce; Coward's Divorce; Earl Fitzwilliam's Estate; Paterson's Estate.

*Reported.*—Duke of Argyll's Estate; Leebassille's Naturalization; Rouma's Naturalization.

3<sup>o</sup>. and passed:—Ashton's Divorce.

PETITIONS PRESENTED. From Greenwich, for the New-Island Bill.—From the Dewsbury, Helmesley and Bridgewater Unions, Wighill, Montgomery, Forden, Clatterwood, Pool, Hope, Trelystan, Llanmerewig, Llansywl, Loughton, Aston, Castlewright, Birmingham, Oldham, and Lees, against the Poor-law Amendment Bill.—From John Brunton, complaining of having been dismissed from the situation of Master of the Huddersfield Union, and praying for Inquiry.—By Lord Ashley, from Barnsley and Wakefield, against the Employment of Females in the Mines and Collieries.—From Honley, Lepton, Whitley Upper, Middleton, Almsodbury, Oulton, Thorpe, Ardsley, Stanley, Methley, and Rothwell, against the Bill.—From Woolwich, Wentworth, Elscar, and Manchester, for Limiting the Hours of Labour of Young People in Factories.—From the Southern Baptist Association, for the Abolition of Ministers Money (Ireland).—From Trustees and Mortgagees of the Leeds and Harrogate Turnpike Roads; and of the Leeds and Colliingham Turnpike Roads, against Turnpike Roads Bill.

**ELECTION PROCEEDINGS COMMITTEE**  
—MR. WALTER.] Mr. Roebuck brought up a special report from the Select Committee on Election Proceedings, which was read. The report stated—

"That the committee had proceeded to consider the matters referred to them by the House, and that having, in the prosecution of their inquiry, found it necessary to call before them John Walter, Esq., lately a candidate for the borough of Nottingham, the Chairman, by direction of the committee, had issued on Friday, the 24th inst., a summons to the said Mr. Walter, requiring him to attend the committee forthwith, for the purpose of giving evidence before them, and to bring with him all papers and documents relating to the election, petition, and compromise, and all bills of expenses, paid or unpaid, that had reference to the last election for the borough of Nottingham. The report further stated, that two minutes before it was announced to the committee that the Speaker was at prayers they received the following letter from Mr. Walter:—

"Mr. Walter has to acknowledge a summons, received at a quarter past three o'clock this day, with the signature of J. A. Roebuck, Chairman of a committee of the House of Commons, sitting to inquire into election proceedings, and requiring his attendance forthwith.

"Now, though Mr. Walter would feel it to be his duty to obey most readily any order emanating from a committee of the hon. House of Commons; and though he would be also glad of an opportunity of communicating to the committee any facts, which may be within his own knowledge, and affect only himself; yet, not having had the conduct of the petition against the return for Nottingham, he would be wholly unable to afford that information which, in consequence of his having been one of the candidates, may have been erroneously expected from him. Still, however, it would have been his duty to attend, did he not feel himself precluded from so doing by another and more powerful objection, founded upon the most obvious and indefeasible principles of natural justice and constitutional law.

"Mr. Walter sees that the name of Mr. Roebuck is published as the Chairman of that committee before which he is required to appear; and when he considers the power of a committee of the House of Commons over all who may be brought to give evidence before it, and the influence of the Chairman over the proceedings of that committee, he begs to point out to the committee, and through it to the hon. House, the position in which he would be placed should he surrender himself to any order emanating from a body of which Mr. Roebuck is Chairman or President.

"It appears from the proceedings in the House of Commons on the 8th of September last, that Mr. Roebuck rose in his place, and though he repeatedly stated that he had no motion whatever to make, uttered a variety of scandalous expressions reflecting upon the character and conduct of Mr. Walter, in consequence of some supposed reflections cast upon him in a public journal, of which reflections Mr. Walter was not the author, nor does he to this moment know who the author was, nor has he at any time either requested others to write, or himself written, anything injurious to the private or public character of the aforesaid Mr. Roebuck. On the occasion above referred to, Mr. Roebuck used the following audacious and unbecoming expressions:—

"If any hon. Members were attacked by *The Times*, and did not wish for a repetition of the attack, he would suggest to them at once to horsewhip the proprietor, Mr. Walter, and they might depend upon it that the attack would not be repeated."

"Mr. Walter, therefore, trusts it will not be expected from him, that, however disposed to yield obedience to the legal orders issued by the House through one of its committees, he should appear and put himself in the power of a court, the presiding Member of which has

manifested such undisguised personal hostility to himself; and who has already, also, prejudged the chief question regarding the Nottingham election by assertions as injurious in their intended effect upon Mr. Walter's character, as they would be found to be erroneous in fact, if they could be properly investigated by an impartial tribunal. Even if brought up by force before such a committee, Mr. Walter would feel bound to refuse to answer questions put to him by a committee thus constituted.

"Mr. Walter begs to state to the committee, that he possesses no papers or documents of the description required, nor "any bills of expenses, paid or unpaid, in the case of the borough of Nottingham." Being, however, very anxious to afford every information to the committee, without subjecting himself to the risk of personal insult, he informs them, that Mr. Francis Soames, solicitor of Wokingham, was Mr. Walter's agent during both the contests at Nottingham; that through his hands all the money passed which was expended on Mr. Walter's behalf, and that Mr. Soames will give the committee every information they can desire.

"No. 8, Charing-cross, half-past 3, p. m.,  
"June 24. 1842."

"The report went on to state, that upon receipt of this letter, the Chairman, by direction of the committee, issued a second summons, to Mr. Walter, in similar terms; that the committee, upon meeting pursuant to adjournment, received the following second letter from Mr. Walter, still declining to obey the order to appear before them:—

"8, Charing-cross, Friday night, June 24.

"Mr. Walter, in reply to a second summons received from the "Committee on Election Proceedings," and with the same signature of J. A. Roebuck, Chairman, begs to state, that he has no other answer to make than that which he has already sent to the committee, on the receipt of the former summons of the same date."

"In conclusion, the report stated, that the committee had resolved to report these circumstances to the House, in order that the House might take such steps as it should deem fit."

Report to lie on the Table.

Mr. Roebuck, in obedience to the unanimous resolve of the committee, and acting merely in a ministerial capacity as Chairman of that committee, moved that Mr. Walter be brought to the Bar of the House to-morrow.

Motion agreed to.

**EXCLUSION OF MEMBERS FROM A COMMITTEE.]** Mr. Cochrane stated to the House, that on presenting himself that day at the door of the committee-room

occupied by the committee on election proceedings, he was informed that, although a Member of the House, he could not be admitted. He therefore wished to know whether the committee were justified in issuing an order for the exclusion of Members of that House?

Mr. Roebuck said, that the hon. Member might have saved himself some trouble if he had first inquired whether such an order had been issued. It so happened that no such order had been issued by the committee, and that no one attending the committee had received any instructions whatever to exclude Members of the House.

Mr. Cochrane observed, that he was not the only Member who had been refused admittance. The answer of the doorkeeper, upon refusing him admittance, was, that no persons were allowed into the room but the Members of the committee and the witnesses. The doorkeeper certainly said that he would send in his name to the chairman, and ask him if he might be admitted, but not wishing to solicit a personal favour of the hon. Member for Bath, he declined the offer.

Mr. Roebuck wished to set himself right in the eyes of the House. An hon. Member had come into the committee room that very day, and not knowing him, he asked him if he was a Member. The hon. Member stating that he was, he informed him that the committee were under deliberation, upon which the hon. Member left the room. This plainly showed that Members were admitted. The committee had come to the unanimous conclusion that it would be for the interests of the inquiry, and all persons connected with it, that it should be conducted, if possible, without the presence of any other individual than the person under examination. He observed an hon. Member on the other side of the House who had applied to be admitted, and to whom, upon being admitted, he had read that resolution of the committee, by which the hon. Member stated he should feel himself bound. But upon the right of Members to enter the room the committee had never attempted to decide.

Major Beresford hoped he might be allowed, as the Member alluded to, to state his impression of the circumstances which, he conceived, the hon. Member for Bath had not given with exact correctness. He had requested to be admitted

as a principle in the inquiry. The committee deliberated, and in a short time informed him that he could not be admitted; but that if he applied as a Member of Parliament he should. His reply was, that he did not apply as a Member of Parliament, but chiefly as a person interested in the inquiry, and he believed he added that it was not the last time he should take the matter up. The committee sent for him again, and said that it was the unanimous opinion of the committee that it would be for the interest of all parties if no one were allowed to be present beyond the witness under examination. He did then enter into a further argument and demand of his rights, maintaining, not so much on the ground of his being a Member of Parliament, as upon the plain justice of the case, that as he was a party accused—and grievously accused—he ought to be allowed to be present to hear the evidence adduced against him. He did state that the veriest criminal ever called to the bar of public justice, although to be next day pronounced a felon, was permitted to hear the evidence brought against him. He stated that, because evidence might be adduced which it was possible he could explain or refute. But when a man had evidence brought against him in the dark his character might be calumniated without the power on his part of protecting it; he might in this way, as it were, be stabbed in the back by anonymous witnesses. He felt bound to say that the demeanour of the hon. Member for Bath and of the other Members of the committee was in the highest degree candid and courteous. They stated that they had unanimously resolved, that as a principle he could not be present, but that if he insisted on his right as a Member of Parliament he might. His reply was, that having laid his reason before them, and having stated that it was chiefly because he was a person interested in the inquiry that he claimed to be present, he should consider, where he to avail himself of his right as a Member of Parliament, that he should be entering the room under false pretences, and not in the straightforward manner in which he was desirous of acting. He had therefore declined being present, and bowed to the decision of the committee.

Mr. *Cochrane* hoped the hon. Member for Bath would now see that some misunderstanding did really exist, and that

he meant nothing uncourteous to the hon. Member in noticing the circumstance.

Mr. *R. Yorke* confirmed the statement of the hon. and learned Member for Bath. It was thought by the committee that the inquiry could be best conducted, and conducted with the greatest delicacy towards all parties, with closed doors. The hon. Member who had just addressed the House had come to the conclusion, that as he was not permitted to be present as a principal, he ought not to assume his right as a Member of that House; but the question of the right of Members of that House to admittance had never been disputed or raised in the committee.

Subject at an end.

FUGITIVES FROM THE UNITED STATES]. Mr. *Hawes* wished to put a question to the noble Lord the Secretary of State for the Colonies. It appeared from information he had received, that on the 17th of last January a demand was made on the part of one of the states of America to the authorities of Canada to give up a person of colour who had been confined there for some days, and who was demanded back as a fugitive. As he understood, there was no charge made against him, and the demand was to deliver up this person, named Nelson Hackett, who had been taken across the river, lodged in the Detroit gaol, and ultimately put into the hands of his master. He wished to know whether these facts were correct and what was the policy of the Government in such cases.

Lord *Stanley* said, that the statement of the hon. Member was incorrect in a very material point. It was perfectly true that in the course of this year an application was made to the Governor and Executive Council of Canada for the surrender to the American authorities of a person described as a fugitive from justice, and charged with the offences of burglary robbery. There was an act in force in Upper Canada, which authorized the Governor with the assent of the Executive Council to surrender any person being a fugitive from justice and charged with a certain specified crime, upon there being forwarded in a certain form, according to the prescribed conditions, the warrant of his committal, and the depositions taken against him, provided those depositions were such as would authorise his committal in Canada. Upon the first application to the Canadian

authorities these forms were wanting, and consequently the application was not complied with, but positively refused, and the grounds of refusal were stated by the Executive Council. The depositions were then forwarded, from which it appeared that this person, a person of colour, and he believed a slave, was charged with burglary, not upon the property of his master, but that of another person. The question was then brought by the Governor of Canada under the consideration of the Executive Council; and the Executive Council, finding that the forms had been complied with, and that the case was such as would authorize a committal in Canada, thought fit to comply with the provisions of the Canadian law, and to surrender the person to the State of Arkansas.

**ANTI-POOR-LAW DEPUTATIONS.]** Mr. *Gill* asked the right hon. Baronet the Secretary of State for the Home Department, whether he had granted interviews to deputations from Bristol and Canterbury, having for their object certain complaints and representations in reference to the Poor-law Amendment Bill; and if so, whether he would state the grounds upon which he had refused to grant an interview to a deputation from the board of guardians of Plymouth, having a similar object?

Sir *J. Graham* said, it was quite true that at the instance of the hon. Members for Bristol and Canterbury, he had had the honour of receiving deputations from those places upon a single point respecting the operation of a certain clause in the Poor-law Amendment Act, that clause having reference to the local acts which regulated the relief of the poor in those places. On the application of the hon. Member for Canterbury, it appeared to him that there was a misconception as to the operation of the clause; and he was very anxious to ascertain if he rightly understood the point at issue. On that ground, and on that only, had he consented to receive the deputations. With regard to the Plymouth deputation, he had had the advantage of a memorial from the town, setting forth all that they desired and thought material; and, in addition to that source of information, he had been honoured with a communication from the hon. Member himself, who, indeed, not satisfied with a verbal communication, had been so obliging as to put his views in writing. With regard to Plymouth, therefore, there could be no mistake whatever. He clearly understood what were the views

of those interested in the subject at that town; and with respect to another point on which the deputation desired information, namely, the relief of the casual poor landed at Plymouth from the Channel Islands—he felt that he was not able to give such satisfactory explanations on the matter as the Poor-law commissioners, and therefore he had referred them to those authorities for the information they desired. He would suggest to the hon. Gentleman, that it was absolutely necessary for him to exercise a discretion with respect to the receiving of deputations of this sort, and he would only further add his assurance that in what he had done he had been actuated by a sense of what was due to the public service, and, which he hoped he need scarcely say, by no want of respect to the hon. Gentleman opposite.

**ELECTION PROCEEDINGS — COMMITTEE.]** Mr. *B. Escott* wished to put a question to the hon. Member for Bath, arising out of a discussion which had taken place at an earlier hour of the evening. He wished to ask, whether it was the determination of the committee that in future all persons who were accused, whether Members of that House or not, should not have a right to attend during the examination of witnesses brought forward to propound charges against them?

Mr. *Roebuck* said, he could not answer for what the committee would do in future, but he would tell the hon. Member what they had already determined. If anything fell from a witness which touched any party in any way, they had resolved to refer to that party, to state to him what the witness had said, to ask him if he had any statement to make on the subject of that evidence, or if there was any witness he desired to call to rebut it. The committee felt that this would be the most agreeable and delicate mode of conducting their very invidious inquiry, and on the part of the committee, he might say that they believed that by such means they would best carry out the investigations they were appointed to make; and further, that they trusted the House would defer giving any opinion until they had brought up their report.

Mr. *Escott*: The hon. Member has not answered my question.

Mr. *Roebuck* said, it was very true he had not answered the hon. Member's inquiry. On that point, therefore, he would say that he believed the committee would con-

tinue to persevere in its present mode of conducting the inquiry.

POOR LAW—ADJOURNED DEBATE.]

On the Order of the Day for resuming the adjourned debate on going into Committee on the Poor-law, and Mr. Duncombe's Amendment.

Mr. *Fielden* rose to answer the speeches of the hon. Member for Bath (Mr. Roebuck) and the right hon. Baronet the Member for Tamworth. He would take that of the hon. Member for Bath first. That hon. Member had spoken with great confidence on the subject of the New Poor-law, but in his opinion with little sense. He doubted the hon. Member's experience of the labouring poor. He wanted to know what means he had of knowing their habits, feelings, wants and condition. Was the hon. Member engaged in such occupations as would bring him necessarily in daily contact with labouring persons? No; he understood from the hon. Member that he was a lawyer, and he would not admit that a lawyer was, in the course of his occupation, brought into that relationship with the labouring poor that would give him the means of legislating in their case. He claimed to be heard upon this question, because he felt confident that he did know much of the labouring people. He had been in business as a manufacturer ever since the year 1803, and he was so now. He and his partners had always employed great numbers of hands, and for some years past they had constantly in their employment some thousands; and, so long as he had a seat in that House, he would by speech and vote resist a law which was based upon the false and wicked assertion that the labouring people of England, or any material part of them, were inclined to idleness and vice; and he felt that he owed them too much to sit patiently by while this commission was proposed to be continued. He believed that the New Poor-law had been most oppressive, and that it was founded on the most fallacious principles. The hon. Member for Bath spoke first of the new law being both wise and humane, and he told the House that, being a lawyer, he wished to be answered by facts. As to the humanity of the law, he would give one fact, and he begged to be understood as giving one fact of many that he could produce. In 1836 there lived in the parish of Eversholt, in the Woburn

Union, a widow of the name of Susan Deacon. She had been relieved by the parish before the union was formed, but, as the new law came into operation, her allowance was reduced down as low as 1s. a week. In the night of the 25th of December in that year that poor woman threw herself into a moat in the garden of the rector of the parish, a guardian of the union. It was a bitter cold night and the weather frosty. Her body broke through the ice, and when taken out it was found that she must have risen from her bed to drown herself, as she was dressed in her night clothes. The coroner's jury wished to return a verdict stating the circumstances that caused her to drown herself—that was, the refusal of the board of guardians to grant her the accustomed relief; but the coroner persuaded them to return a verdict of insanity. The jury however, immediately after, being touched with sympathy for a poor and respected neighbour, signed and circulated this paper, of which he had a copy:—

"We, the undersigned jurymen on the body of Mrs. Deacon, of Hill's-end, Eversholt, who drowned herself in the rev. J. Reed's moat, on last Monday morning, through distress of mind, in consequence of having been refused a shilling per week by the said J. Reed and the other guardians of the poor for Eversholt parish, have given our verdict "Insane;" and, out of compassion and respect to the deceased, in order to prevent her goods from being taken from her orphans to defray the funeral expenses, have contributed 6d. each towards burying her. The smallest contribution from any person who can feel for such a case, will be most thankfully received by the jurymen. Should there be more collected than will pay her funeral expenses, it will be given to her poor children."

He had offered to prove this case before the Poor-law committee, but was frustrated. Mr. Bull had attempted to get it before a committee of the Lords, but he had also been frustrated. The paper, however, circulated by the jurymen, spoke for itself; and he adduced that one case as a specimen of the humanity of the new law. The hon. and learned Member (Mr. Roebuck) then spoke of the "problem how to relieve the honest able-bodied without giving encouragement to idleness by relieving the idle vagabond." He said that

"The Reformed Parliament had looked this difficulty in the face," (and that) "he wished it to be particularly shown how the difficulties of this question would be met, except

by imposing such restrictions on the administration of relief, as would make its reception not more agreeable than the exercise of honest industry."

He maintained, first, that the Parliament had not met the difficulty in the face, but had created a board of three commissioners to do so, or to do as they liked. The Parliament had had proposed to it a bill abolishing out-door relief after the 31st of July, 1835; but it expunged that part of the bill, and left it to the commissioners to make the law. But, as the hon. Member praised the law and the commissioners, and their doings, he might be taken to approve of the prohibitory order for stopping out-door relief to all able-bodied poor, unless in the workhouse, and of the regulations and discipline which they had ordered to be observed in the workhouses. The hon. Member, in fact, approved of the workhouse test, the "self-acting test," as the commissioners called it, which was to sift the honest and hard-working man from the idle vagabond. Let him, then, examine the practical operation of that test, for he (Mr. Fielden) believed it to be a most atrocious cruelty on the honest and willing workman, and productive of infinite mischief to the country. He would take the two cases supposed by the hon. Member himself. Here were two applicants for relief, both coming to the board of guardians at the same time; both have families, both are able-bodied; but one is an honest hard-working man, who cannot get work; the other is an idle vagabond, who will not work if he can help it. What does the board do? It could not give any thing but the workhouse test and its discipline, its separation, and its diet to both. It must give the same to both. Now would come the operation of sifting, and the proof of the sound principle and philosophy of the new law. Which of the two would go into the house? If both go in, then the law punishes the honest man just as it did the vagabond. If the honest man went in, and the idle vagabond was driven to maintain himself, then the honest man only was punished. If the vagabond went in, and submitted to the discipline of the workhouse for the sake of idleness, then he would ask where did the honest and willing workman go to—the man who was admitted to be honest, the man who would do work if he could get it? He would ask whether had you driven that man?

He would tell them. In a table, published by the commissioners in their sixth annual report, there was a column containing the number of vagrants and paupers relieved not belonging to any parish in the union, and it gave the numbers in Christmas quarter, 1838, and in the same quarter, 1839, from fourteen counties in England and Wales; the total showed, that in 1838 there were 1,705 vagrants, or casual poor, and in 1839 no less than 3,111, being an increase of 1,406, or 82 per cent. This admirable system had driven the willing workman to become a wanderer in search of work; and, failing in that, it had made him, whose virtue was confessed, a vagrant, gathering alms in the quality of casual poor. That was the wisdom and philosophy of this law. But it was the idle vagabond that the hon. Member for Bath wished to punish. Very well; the hon. Member, being a lawyer, knew doubtless that there was the Vagrant Act in force when the New Poor-law was passed, and in force still, by which all vagabonds were amply punished. Ay, but that law would not meet the whole mass of able-bodied. No; nor should it. Another assertion of the hon. Member for Bath was, that the outcry against the new law was not raised by the honest and industrious poor, but by self-interested persons of a dishonest sort, who had been destroyed by the operation of the new law. He would now read to the House a short paper that had been written by a labouring man of, he believed, the Diss Union, in Norfolk, and printed at the expense of one of the guardians, and which had been sent to him by a clergyman residing in the union. It was as follows:—

"Poor Law Amendment Act.—Since the New Poor Law, the honest, industrious, able-bodied poor are much oppressed, through the orders of the Poor-law commissioners. It frequently happens from severity of the weather that the farmer is unable to find employment; the poor man, under such circumstances, having a large family, is rendered totally unable to support them honestly; and when he appeals to the guardians, all the relief he can get is to leave his house and little furniture, and be made a prisoner in the union workhouse. I therefore think that the board of guardians ought to be empowered to relieve the poor man without forcing him from his house and home, till the farmer may be enabled to employ him, and the weather will permit him to work. I, Thomas Cock, can prove that during the last two months I have lost half my time, therefore take the liberty to inform the public

that the parishes of Bressingham and Fersfield intend to send a petition to Government, and earnestly hope that other parishes will do the same, praying that the industrious poor may be relieved without being sent to the workhouse. Thomas Cock, labourer, Bressingham, Feb. 9, 1841."

Now, he thought that simple statement not only proved that the hon. Member for Bath knew nothing of the feelings of the honest labouring poor on this question, but that the hon. Member was wholly uninformed upon the subject on which he so confidently talked. He would now come to the speech of the right hon. Baronet the Member for Tamworth, who had said that he thought the people of this country were in favour of the commissioners, because he found, that leaving out the petition of the 3,000,000, there had been only 108 petitions that Session against the commissioners, signed by 25,000 names. Now, the fact was, according to the committee of petitions, that up to the 10th of June there were that Session 185 petitions against the new law and the bill before the House, containing 36,344 signatures, and there had been many presented since, of which no report had been made. The petition of the 3,300,000 required a total alteration of the constitution of that House; and it alleged, as one of its reasons for desiring the change, that the House as at present constituted had passed the unconstitutional New Poor-law. Was not that a pretty strong expression of public feeling against the commissioners? The 3,300,000 not only desired to abolish the commissioners, but the very constitution of the assembly which had made them. But he would call the attention of the House to the number of petitions in former years, all in effect against the New Poor-law, an immense majority for total repeal, and others for alterations which would defeat its principle.

YEARS.	PETITIONS.	PERSONS.
1834	172	16,156
1835	16	15,680
1836	119	27,574
1837	295	270,096
1838	346	264,100
1839	136	30,000
1840	190	17,000
1841	895	286,646
1842 (to June 10)	185	36,344

To those should be added the two na-

tional petitions, the first with upwards of 1,250,000 signatures, and the second with 3,300,000. Now, the petitions in favour of the new law, or somewhat in favour of it, were—

YEARS.	PETITIONS.	PERSONS.
1834	2	16
1835	0	0
1836	0	0
1837	35	950
1838	23	1,184
1839	0	0
1840	0	0
1841	72	467
1842 (to June 10)	0	0

He thought that was an answer to the right hon. Baronet as to the public feeling on the whole of this law, and it was also an answer to the right hon. Home Secretary as to the direct remedy generally demanded upon the publication of the Report of the Poor-law Commission of Inquiry in 1834. He would now go to other parts of the right hon. Baronet's speech. He said, "Do you speak of this bill as depriving the poor of any of the advantages which they enjoyed under the law of Elizabeth?" Yes, he did. The law of Elizabeth made the overseers set the able-bodied poor on work, and it made them buy materials for the purpose. Under that law the overseers had no authority to imprison and separate them, man from wife, and parent from child, as a condition of giving them that work. The 9th of George 1st gave the overseers authority to administer relief only in a workhouse. The 36th of George 3rd repealed that law, stating in its preamble that much hardship had been inflicted on poor persons by withholding relief unless they would go into a workhouse. Then came the New Poor-law, and the Parliament not being bold enough to re-enact the 9th of George 1st, enacts that Poor-law commissioners shall have authority "to declare to what extent relief shall be given to able-bodied persons out of the workhouse," and that they shall have power to make rules for the governing of those workhouses, which was, in fact, committing the able-bodied poor of the kingdom to the will of that board. He did say that that had deprived the poor of advantages that they had under the 43rd of Elizabeth; and, if the right hon. Baronet meant to

contend that the new law was the same in principle as the 43rd of Elizabeth, let him remind the right hon. Gentleman that Lord Brougham, in bringing the new law into the House of Lords in 1834, spoke of the 43rd of Elizabeth as that "accursed law," not a phrase likely to be used by one who was proposing a law similar in principle. The right hon. Baronet had referred to the mismanagement of the poor in the Keighley Union, taking the information of a Poor-law commissioner, and he argued that these things could not be redressed, if we had not the commissioners. But had not the right hon. Baronet heard of worse things occurring under the Poor-law commissioners themselves? Had he never heard of the horrible deaths at Bridgewater? Of the fatal gruel of the commissioners? And did not the commissioners do everything in their power to stifle inquiry, and hide the facts from the public? What did they do at Sevenoaks, which was under the inspection of one of their own assistants? Remember the swollen throats of the children—the treatment of the lying-in women—a tale so harrowing and disgusting, that one scarcely liked to dwell upon the detail. Then, again, inquiry was forced on the commissioners, and the greatest attempts were made to stifle it. Yet the right hon. Baronet appeared to look on the commissioners as a board whose duty it was to drag to light, and hold up to public view, the ill treatment of the poor, whenever it might occur. That was new ground—quite a new function; but he quoted the commissioners' reports from the Keighley Union, and asked how these things were to be brought to light, but by the commissioners? His answer was, the Bridgewater and Sevenoaks cases were brought to light, not by the commissioners, but in spite of them; and that, if the commission were abolished to-morrow, the same good feeling and natural abhorrence of cruelty which held up Bridgewater and Sevenoaks to public gaze, would bring to light such cases as that of Keighley, supposing it to be all true. But, if the right hon. Baronet was very anxious that the cases of hardship in managing the poor should be brought to light, would he now insist on bringing fully to light that which, he believed, would develop a tale of folly and cruelty, on the part of the Poor-law commissioners, exceeding anything that had yet been heard of, and more fatal in its consequences?

Would he aid him (Mr. Fielden) in bringing to light the conduct of the commissioners, their assistants, and their correspondents, with regard to the sending of labouring people from the southern counties into the northern factories? Would he make them produce their correspondence, and would he make them render an account of the thousands (there were upwards of 10,000) that were made the victims of the "migration" scheme? He wanted the whole of the correspondence—not the commissioners' garbled extracts. He wanted to know where the remnant of their victims was now to be found; how many they had sent down; how many had died; how many they had sent back; and the condition of those that remained. If the right hon. Baronet would aid him in that, there was matter enough to be brought to light, and he did not see how he could refuse his aid in that matter, if he really thought the commissioners were of use in bringing to light the cruel treatment of the poor. But, until this aid were given to him, and the commissioners made to account to Parliament for these poor migrants, he would not consent to pass a bill which proposed to continue their existence one hour.

Mr. Lawson wished to vindicate his line of conduct on this subject, which had been designated as factious. He thought what was called faction in certain cases, might be spoken of in the same way that treason had been alluded to—

"Treason never prospers, and whats the reason?"

"Why, when it does, then none dare call it treason."

Thus, in the present case, if what had been designated as faction should succeed, as he thought it would, he thought no one in the country would be found to complain of the line they had pursued. He had been very much surprised to hear some of the sentiments which had fallen from the hon. Member for Bath, who plumed himself particularly on being a popular representative. He was surprised to hear the hon. Member for Bath declare that the dislike of the New Poor-law was founded on vulgar prejudices, and the hon. Member seemed, throughout the whole of his speech, to evince a particular wish to run down the popular feeling on this question. It had been stated, in that House, that the poor had no right to relief; but he found a writer of high authority (Paley) distinctly



stated that the poor had a right to relief. He was sorry to pursue a course which appeared in opposition to the right hon. Baronet at the head of the Government; but yet, at the same time, he felt it to be his duty to give his cordial assent to the present amendment.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes, 156; Noes, 37;—Majority 119.

#### List of the AYES.

Acland, Sir T. D.	Fitzroy, Lord C.
Acland, T. D.	Flower, Sir J.
A'Court, Capt.	Ffolliott, J.
Allix, J. P.	Fuller, A. E.
Antrobus, E.	Gaskell, J. Milnes
Bagot, hon. W.	Gladstone, rt. hn. W. E.
Bailey, J.	Glynne, Sir S. R.
Baillie, Col.	Gordon, hon. Capt.
Baillie, H. J.	Gordon, Lord F.
Baring, hon. W. B.	Gore, hon. R.
Barnard, E. G.	Goring, C.
Barrington, Visct.	Goulburn, rt. hn. H.
Beresford, Maj.	Graham, rt. hn. Sir J.
Blakemore, R.	Greene, T.
Botfield, B.	Grogan, E.
Bramston, T. W.	Hale, R. B.
Bruce, Lord E.	Hamilton, W. J.
Buck, L. W.	Hardinge, rt. hn. Sir H.
Buller, C.	Hastie, A.
Buller, E.	Hill, Lord M.
Bunbury, T.	Hodgson, R.
Burrell, Sir C. M.	Houldsworth, T.
Burroughes, H. N.	Hope, hon. C.
Busfield, W.	Howard, P. H.
Byng, G.	Ilusey, T.
Cartwright, W. R.	Ingestre, Visct.
Chelsea, Visct.	Irving, J.
Cholmondeley, hn. H.	Jackson, J.
Clayton, Rice R.	James, W.
Clerk, Sir G.	Jermyn, Earl
Clive, E. B.	Johnstone, H.
Clive, hon. R. H.	Jolliffe, Sir W. G. H.
Codrington, C. W.	Jones, Capt.
Collett, W. R.	Kemble, H.
Cowper, hon. W. F.	Ker, D. S.
Craig, W. G.	Knatchbull, rt. hn. Sir E.
Cripps, W.	Lefroy, A.
Darby, G.	Lincoln, Earl of
Dennistoun, J.	Lindsay, H. H.
Dickinson, F. H.	Litton, E.
Divett, E.	Lowther, J. H.
Douglas, Sir C. E.	Lyall, G.
Douglas, J. D. S.	Mackenzie, W. F.
Duncan, G.	Maclean, D.
Du Pre, C. G.	McGeachy, F. A.
East, J. B.	Mc Taggart, Sir J.
Ebrington Visct.	Manners, Lord C. S.
Eliot, Lord	Manners, Lord J.
Escott, B.	Marshall, Visct.
Estcourt, T. G. B.	Martin, J.
Farnham, E. B.	Master, T. W. C.
<i>Fellowes, E.</i>	Masterman, J.

Maunsell, T. P.	Smith, rt. hon. R. V.
Morris, D.	Smyth, Sir H.
Morison, Gen.	Smythe, hon. G.
Nicholl, rt. hon. J.	Staunton, Sir G. T.
Norreys, Lord	Strutt, E.
Northland, Visct.	Sutton, hon. H. M.
O'Brien, A. S.	Thornhill, G.
Ogle, S. C. H.	Trevor, hon. G. R.
Palmer, R.	Trotter, J.
Palmer, G.	Verner, Col.
Palmerston, Visct.	Vernon, G. H.
Patten, J. W.	Vesey, hon. T.
Peel, rt. hon. Sir R.	Waddington, H. S.
Pemberton, T.	Wall, C. B.
Polhill, F.	Walsh, Sir J. B.
Pollock, Sir F.	Ward, H. G.
Powell, Col.	Wodehouse, E.
Præd, W. T.	Wood, B.
Pringle, A.	Wood, Col.
Pusey, P.	Wood, Col. T.
Reid, Sir J. R.	Wynn, Sir W. W.
Rose, rt. hon. Sir G.	Wyse, T.
Rous, hon. Capt.	Yorke, hon. E. T.
Rundle, J.	Young, J.
Rushbrooke, Col.	
Russell, C.	
Russell, J. D. W.	
Shaw, rt. hon. F.	

#### TELLERS.

Baring, H.
Fremantle, Sir T.

#### List of the NOES.

Brotherton, J.	Hawkes, T.
Brownrigg, J. S.	Holland, R.
Callaghan, D.	Hume, J.
Cochrane, A.	Humphery, Mr. Ald.
Collins, W.	James, Sir W. C.
Colville, C. R.	Lawson, A.
Crawford, W. S.	Marton, G.
Denison, E. B.	Napier, Sir C.
Dundas, Admiral	Pechell, Capt.
Egerton, W. T.	Richards, R.
Egerton, Sir P.	Sandon, Visct.
Ferguson, Sir R. A.	Scholefield, J.
Feilden, W.	Sibthorp, Col.
Ferrand, W. B.	Wakley, T.
Fitzroy, hon. H.	Wilbraham, hon. R. R.
Greenall, P.	Wortley, hon. J. S.
Grimsditch, T.	Yorke, H. R.
Halford, H.	
Hall, Sir B.	
Hampden, R.	

#### TELLERS.

Duncombe, T.
Fielden, J.

House in committee.

On the first clause, continuing the Poor-law commission,

Mr. Wakley was sorry to be obliged to interrupt the course of proceeding, but he felt it absolutely necessary to do so, in pursuance of the duty he had to discharge in that House. His object was, to obtain the postponement of the first clause, until the House determined what the provisions of the bill should be; and he conceived that a more reasonable proposition, or one more calculated to receive the sanction of the committee, could not be made. The

first clause proposed that the powers of the commission should be continued until the year 1847, and until the end of the then next Session of Parliament. Now, there were many Members in that House, who objected to the powers which the commissioners already exercised, believing them to be incompatible with the Constitution, dangerous to the institutions of the country, and calculated to create mischief with reference to the poor; and the present bill proposed to confer on these commissioners additional powers. Nothing, therefore, could be more dangerous than for the House to determine to continue the commission for six years longer, without previously determining what should be the powers which the commission were to execute. He was not aware that the right hon. Baronet the Home Secretary would oppose the proposition he now made. He was acting *bond fide* with the Government in this case. He was not desirous of offering what was called factious opposition to this bill; but he meant to offer it a frank, determined, and unflinching hostility—an hostility which he conceived to be consistent with the obligations he owed to society, and with the duty he had to discharge in that House. He, therefore, thought that the Government would be acting most unreasonably by the House, unjustly towards the poor, and most irrationally with reference to the public, if they required the House to continue the commission for six years, without first informing the House what were the powers which the commission should execute. There were on the paper thirty-seven notices of amendments. Many of them involved considerations of the highest character. Many of them struck at the very root of the powers which the commissioners now exercised, and tended to diminish their authority in so high a degree that if these amendments were enacted he should very much disregard the continuance of the commission. But if those amendments were to be rejected, if Government intended to act in hostility to all the principles embraced by those amendments—if they were to call to their aid their truculent supporters on this occasion, and reject every proposition for the amendment of the bill, nothing could be more improper, nothing more disastrous, than that the powers of the commissioners should be continued for six years. He therefore hoped that the com-

mittee would adopt the amendment with which he should conclude. He confessed, that after the vote the House had come to, his expectation that his proposition would be adopted was slight indeed. He should, nevertheless, submit it to the committee, because he felt it his duty to do so, after hearing what he did out of doors on this subject. He believed that the House was pursuing a course which would be fatal to itself and the aristocracy of the country. The House, he believed, was acting in a spirit of hostility to the working people of this country. He could entertain no other belief from what he daily witnessed in that assembly. They turned a deaf ear to all the entreaties which were made to soften down the harshness and asperities of this bill. In 1834 they established the commission for five years, and then public opinion acted upon them; but now that they had reached the year 1842, they proposed to renew the commission for six years; and the object of the supporters of the bill, he firmly and sincerely believed, was to render the Poor-law commission a perpetual authority in this country. He might be mistaken, but that was his belief, and every day's experience in that House strengthened him in it. He had stated that he believed that House to be acting in a spirit of hostility to the poor. He regretted, too, that there were to be found Members on that (the Opposition) side who concurred in the proceedings of the majority of the House, while they alleged that they were actuated by a spirit of kindness to the poor. The hon. Member for Bath avowed himself to be one of the most determined advocates of this law; he unhesitatingly and broadly declared that he supported its principles, but he had not yet heard from the hon. Member any explanation of its views with respect to any single one of the details of the measure. This, to the small party to which he belonged, was a calamitous circumstance. He had thought that on an occasion of this kind they would have had an opportunity of showing what were their principles, in opposition to the two great aristocratic parties in that House, and of really convincing the masses of this country that they were desirous of upholding their best interests, without, at the same time, derogating from or injuring the interests of the other classes. He was of opinion that that House never could uphold the interests of the aristocracy so strongly and

effectively as when they upheld the interests of the masses of the population : for he could not conceive that the tenure of property on the part of the aristocracy was likely to be secure, if the millions remained in a state of discontent, and if the course pursued by the Legislature produced in their minds a feeling of hostility which bordered, in fact, on a feeling of revenge. The working people had not the opportunity of exercising their talents and abilities in the way best calculated to advance their own welfare. The laws passed by that House obstructed them ; and then, when they were reduced to a state of destitution, they were told that they should be immured in gaols on account of their destitution. This, in point of fact, was the effect of the legislative proceedings of that House ; and could it be expected, then, that the poorer classes should be in a state of contentment, or entertain towards the aristocracy that feeling of respect which, under other circumstances, the aristocracy might justly command ? They were perilling every institution in the kingdom by the course they were pursuing with respect to the poor. The hon. Member for Bath told the House that he was a Radical reformer ; that he was anxious for the extension of the suffrage to every person of twenty-one years of age ; and yet at the same time he declared that this New Poor-law was the most humane law ever enacted. Why, could the hon. Member be ignorant that if the suffrage was extended as he desired, this law would not remain in existence for one month ? Did the hon. Member fancy for one moment that this law would not be repealed by the very first Parliament elected by a system of universal suffrage ? The hon. Member, therefore, to be consistent, ought to offer his opposition to this bill. He called upon the right hon. Baronet the Home Secretary to state whether it were his intention to obtain the sanction of the House for the clause continuing the commission, and four or five succeeding clauses, and then to abandon the remaining clauses. If this were the right hon. Baronet's intention, let him signify it by some intelligible sign. If the Government meant to adopt such a course, they would not be justified in designating any opposition that might be offered to the bill unjust or factious. If the committee should by its next vote determine that the *commission should continue for six years,*

the committee would then be called upon to take the whole subject into consideration, and not to abandon any portion of the bill, but to continue to sit until the 31st of December, if necessary, in order to take the other provisions into consideration. Should a different course be pursued, there would then be a violation of that implied contract which had been entered into with respect to the discontinuance of that violent opposition which had been threatened. There were many amendments on the paper which it would gratify him in the highest degree to see adopted, especially the amendments with respect to out-door relief and the continuance of the Gilbert unions. He asked what was the plea for the destruction of these unions ? They had been told over and over again that the New Poor-law was rendered necessary by the abuses perpetrated under the old system. It had been stated that the administration of the law was so defective—nay, that the law itself was so defective, that a change was absolutely necessary. Therefore the old system was to be destroyed, because it was bad. But what was the case with respect to the Gilbert unions ? That system was to be destroyed because it was good. The right hon. Baronet had stated what had taken place under this system, but had not adduced a single proof to show that it ought to be discontinued. The principle of the act of Elizabeth had been attacked, and he asked the House whether it had seriously reflected on the really beneficent principle of that act. It had been abused again and again in that assembly ; and in that speech which had been quoted by the right hon. Baronet, and was delivered in the other House of Parliament in 1834, it was designated as an accursed act. Now, had the House really and truly reflected on the beneficent principle of the act of Elizabeth ? In the same speech to which he had just referred, hospitals, infirmaries, dispensaries, and charitable institutions of every kind were denounced as evils ; and it was asserted that a more correct state of society would render such establishments unnecessary. As the right hon. Baronet had adopted, by his declaration in that House, the principles of that speech to a certain extent, did he adopt them to the entire extent ? Was he prepared to say that all hospitals, infirmaries, and charitable institutions, were nuisances in a civilized community ; and was it the object of

the Government, as it appeared to be the object of the eloquent speaker on that occasion, to get rid of the Poor-laws altogether? The Government ought to speak out manfully on this point. If it was the intention of the rich proprietors to get rid of the Poor-laws, to keep to their own estates, and allow the poor to starve on the highways and byways, let them declare this manfully, and then the people would learn how to enter into the strife with them. But if it were their intention to remain secure in their own possessions, and give effectual relief to the poor in time of necessity—let this also be declared, and let the people understand the position they were to occupy. He regretted to hear the speech to which he had referred commended. It was unfortunate for the country that such a speech should be commended. He did not think it would be possible in civilized society for the landed aristocracy to continue in their estates, if at the same time the millions were to be left without work or bread. It had been alleged that the principles of the New Poor-law were in strict unison with the principle of the law of Elizabeth. It was alleged that the aged and infirm had the same claim for support under the existing law as under the old law. But how could they enforce their claim? Take the case of a poor old man under the law of Elizabeth. He had to apply to the churchwardens and overseers of his own parish for relief. Had he to travel seven miles to a board of guardians? No; he applied to the churchwardens or overseers of his own parish; and if he refused relief what course did he adopt? He had an appeal from parties who were interested to the magistrate of his district. ["No."] He believed that the hon. Gentleman who contradicted him was a magistrate; and he could not help observing what difficulties magistrates had got them into by the mal-administration of the old law. ["Hear, hear."] This observation was cheered by the other side, but at another time anything said against the magistracy would have raised a clamour. He was ready to admit, that they were, on the whole, a highly respectable and humane body of gentlemen, and that when they erred in the administration of the Poor-laws, it was from benevolent feelings. But he would ask the hon. Member, where was the poor man to appeal, if not to the magistrate? The magis-

trate ordered the poor man, if he thought proper, and the churchwardens and overseers were compelled to obey the order. But where was the poor man's appeal now? A poor decrepit old man applied to the relieving officer for relief, who alleged that he could not grant it. What course, then, was the poor old man to adopt? The relieving officer told him to come on Wednesday, Thursday, or Friday, and see the board of guardians and state his case there. When he went to the board he might be admitted; but it was always "closed doors" there. The public were excluded, and the press was excluded. The commissioners had sanctioned the exclusion of both. The commissioners had declared that both should be excluded, whether the guardians wished it or not. The poor man then stated his case to the board, and was directed to withdraw; and the board, consisting of rate-payers, determined that he should have no relief. The guardians of his own particular parish came out of the room, and said to the poor old man, "I am sorry for your case; I know your distress, and the excellence of your character; I am well acquainted with your merits for a long series of years; I voted for you, but I had not another guardian to support me." The poor man returned home. Where was his appeal from that decision of the guardians, all of whom were interested parties, and who decided in favour of their own interest with closed doors, there being no check, through the influence of public opinion, on their proceedings? Had the poor man any appeal from this decision? It was not till life was perilled—it was not till the applicant was starving, that any appeal was to be effectual: when a case of emergency arose, but not until then, could any assistance be granted. He begged that the House would look at the different position of the poor man under the two laws—in the one case he applied to an interested, in the other, to an disinterested authority; and, accordingly, it rarely would happen that he could obtain redress. It was impossible for any one to believe that the measure of the Government was just or rational, and it was impossible for any one to expect that such a measure would content the millions. The great mass of the people would never be content with the Government of such law-makers; and without contentment amongst

the people there could be no security for the possessions of the rich. It was just possible that the Chartists might hereafter obtain political influence in that House. Now, he wished to ask hon. Gentlemen opposite how they would like to be put into commission—not themselves, but their properties? How would they like to be put into commission and have receivers of their rents appointed? But all that the Chartists would do in such a case would be to put their acres into the charge of commissions; at worst they would but seize upon the wealth of the aristocracy, whereas by this bill it was proposed to put the bodies of the poor into commission. It might be thought nothing more than a just retribution if the Chartists acted towards the aristocracy as they now seemed disposed to act towards the people. Yet to put their acres into commission would after all be greatly short of full retaliation for putting the persons of the poor into commission. He observed that the present bill contained clauses which went to make provision for educating the children of the poor, and therein he thought that the framers of the bill defeated their own purposes, for an educated community would never submit to such a state of the law as the proposed bill would introduce. The contest would soon become one between men and acres—between intelligent beings and clods of earth. He was delighted to see a provision of this kind—let the working classes be educated, and the existing state of things must be overthrown. As he would be glad to see that change accomplished, why should he deny his statements? He hoped and believed that such a change would be advantageous to the world. The promoters of the measure appeared to him to assume that the people of England were idle; but he was sure that hon. Gentlemen opposite did not believe that their fellow-countrymen were idle—there was hardly a Member of that House who did not know the contrary to be the fact. On the ground then of that position being assumed, he should object to the bill; but he should object to it also on this ground, that he thought the House ought not to agree to the continuance of the commission till they knew what was to become of the various amendments which had been proposed; for those amendments appeared to him of very high importance. For example, he thought they were bound to take care that the Government did not

do this,—that they did not come forward and say, let the commission be renewed for six years, and when that was effected then get up and tell the House that at this advanced period of the Session it was too late to go on with the other clauses. He hoped they would not, without the other clauses and amendments, appoint three persons and delegate to them powers equal to those possessed by the Legislature. Would the right hon. Baronet, when he rose to reply to him, say anything to prove that the measure was constitutional? Were not its provisions clearly opposed to those principles of constitutional law laid down by Blackstone, in referring to the proclamations issued by Henry 8th when he adverted to “the pusillanimous Parliament which, to their eternal disgrace, gave to Royal proclamations the force and effect of law?” To “the eternal disgrace of the Parliament” of 1834, it did the same, or rather it did worse, for it gave the force and effect of law to the orders of three commissioners sitting at Somerset House; and it would be “to the eternal disgrace” of the present Parliament if it imitated so evil an example. They had given up the poor of this country into the hands of commissioners, and proposed to give to the regulations made by such commissioners the full force and effect of law. Mr. Theobald, in his pamphlet, stated that he had drawn up the original bill for the commissioners, and he dwelt upon the extraordinary powers which that measure gave them, and he said that he never thought those powers would be exercised—he never anticipated that the commissioners would be placed so entirely above the law. If the House would but take the trouble of looking at the history of the measure, they would see how well founded were the observations which he had been making. They would see that the bill of 1834 had been introduced upon popular principles—to prevent, as it was said, the payment of wages out of the rates, and thereby make the working classes independent; and in 1842 similar language was held. He would ask had that effect been produced? [An hon. Member:—“It has been produced!”] He begged respectfully to deny the statement. He believed that no such measure as the Poor-law Amendment Act ever would have the effect of raising the wages of labour. Everybody well knew it had not yet had that effect. A working man would rather

accept the most miserable pittance by which human life could be sustained than go into the workhouse—than be separated from his wife and children. Was the production of such a state of things in accordance with the act of Elizabeth? It was not; and he should maintain that the working people of England deserved no such treatment as they were receiving under this Poor-law Amendment Act. A more faithful, just, patient, generous people never existed, and they were, moreover, a most grateful people; they never forgot benefits; but, urged by these inhuman enactments, they might at length be excited, and when once driven to desperation, there were no people on earth of more unflinching courage. With increasing knowledge and intelligence resistance to this measure might be anticipated; and if Ministers went on in their present reckless course, there was no knowing how soon it might come; and were it not for such measures as these, the country might be most happy, for he knew nothing so calculated to promote public happiness as a mixed form of government. It was suited to the circumstances and to the genius of the English people. For the reasons, then, that he had stated, he should submit this proposition to the committee, namely, that the first clause be postponed.

Sir J. Graham: I have listened to the hon. Member, who has just addressed the House, with great attention, but, nevertheless, I have been unable to discover what his real feelings are upon several points of primary importance. Every man in this House must agree in the glowing eulogium which the hon. Member pronounced upon the character of the people of this country. It is most true, that they possess every virtue which can adorn a brave and free people. As to the institutions under which they live, however, I am left in a state of the greatest doubt with respect to the hon. Member's feelings towards them. In the latter part of his speech the hon. Member made a strong declaration in favour of our mixed form of Government, and gave the House a solemn warning of the danger of supporting the present bill, because it would, he thought, weaken the attachment of the people to that form of Government. I was lost in amazement when I heard the hon. Member speak in that strain, because it was totally inconsistent with what had fallen from him a

short time before, when he was referring to the education clauses. The hon. Member's words—I took them down—were, that the education of the people would produce the effect of overthrowing the existing order of things in this country, and the hon. Member frankly avowed that he supported the education of the poor, because he believed, that it would produce that effect, [Mr. Wakley: Not with violence.] The hon. Member will have an opportunity of explaining; but I must say, that both the hon. Member's warnings and praise should be received with caution, whilst his motives are so doubtful. The hon. Member made use of a singular expression when he called the majority of the House which supports the bill upon the Table the truculent supporters of the Government. That expression is not very complimentary when applied to Members on the Ministerial side of the House, but it includes likewise a large number of Members on the opposite Benches. How can they be called the truculent supporters of the Government? I see sitting opposite the late Chancellor of the Exchequer, rejoicing in that idleness which the hon. Member has spoken of as being so agreeable to the Members of this House. Can the right hon. Member be fairly called a truculent supporter of the Government? There is also the hon. Member for Lambeth, a decided and consistent supporter of the New Poor-law. Ought that hon. Member to be ranked amongst the truculent supporters of the Government? The same observation is applicable to the hon. Member for Bath, who is absent, and whose speech the hon. Member has commented upon with some severity. In fact, the bill is supported by Conservatives, Whigs, and Radicals of the first class, and it is absurd to speak of them as being the truculent supporters of the Administration. The hon. Member said, that if the first clauses of the bill should be carried, and the others abandoned, he would offer the most strenuous opposition to that arrangement. That remark shows me that the opponents of the measure are not agreed in their views respecting it, for the very course which the hon. Member deprecates, was approved by his Colleague on a former evening, when it was proposed by the hon. Member for Durham. It is not, however, of much use arguing the question, because it is the earnest desire of the Government to proceed with the whole measure in the order in which it is presented to the House. I will shortly state why I consider it of immense

importance that this should be done, though I fear, that from the desultory nature of these frequent discussions, I shall be obliged to repeat what I have already communicated to the House. After the clause for continuing the commission, all the clauses, with the single exception of that relating to the Gilbert unions, are of a mitigatory character. Suppose the hon. Member should succeed in destroying the commission, and the Government should be unable to carry the bill further, all the proposed ameliorations would be lost. What would be the state of things afterwards? Passing by the extreme confusion and other evils which would result from a want of control over local authority, there would then be no appeal from the boards of guardians, who, being rate-payers, would have an interest in cutting down relief to the lowest minimum. The stringent order against out-door relief; too, to which such strong objections are felt, would remain a portion of the law of the land, and there would be no means of dispensing with it, except by an order of the Queen in Council. I could point out many other inconveniences which would arise from the adoption of the course to which I have referred; but perhaps I have already said enough to satisfy even the opponents of the measure of the impolicy of such a proceeding. Reference having been made to Lord Brougham's speech, from which I quoted on a former evening, I beg leave to say, that I do not go the whole length of adopting all Lord Brougham's views as embodied in that speech. On a former night I selected a particular passage of the speech in question, and passed an eulogium on it, because I conceived it expressed justly the views which were entertained by Lord Grey's Government in introducing the Poor Law Amendment Bill; but speaking with the utmost respect of Lord Brougham, I must say I think his Lordship fell into the error upon that occasion of pushing some principles to an extreme length, which aroused a feeling in the public mind against the economists generally. I do not contend against providing relief to the poor by forced contributions; much less am I disposed to say any thing against hospitals, asylums, and other charitable institutions. I contend broadly for all the great principles of the act of Elizabeth. I think it is wisely determined in England, Scotland, and, I am happy to say now, to a certain degree in Ireland, that the destitute, the sick, the aged, and *the infirm, shall be maintained by a rate.*

Further, I admit, that able-bodied persons, when destitute, have a right to relief; but there is a condition attached to their claim. The aged, the sick, and the infirm have an unconditional right to relief; but the able-bodied have a contingent and conditional claim. A test is to be applied to their alleged destitution, and that test is a task of work. The statute of Elizabeth, upon which the hon. Member so much relies, distinctly provided that a task of work should be done by the able-bodied applying for relief; but it did not declare, that the work should be done in the workhouse; it left that point vague. The hon. Member is wrong in supposing that the act of Elizabeth gave the applicant who was refused relief a right of appeal to the magistrates. [Mr. Wakley: It does.] The hon. Member says, that the act of Elizabeth does give that right of appeal. Has the hon. Member looked at the statute? [Mr. Wakley: I looked at it to-day.] Considering that the hon. Member is a coroner of great experience and acuteness I might have been disposed to put confidence in his construction of an act of Parliament; but when I hear him maintain, that the act of Elizabeth gave an able-bodied pauper applying for relief, and being refused, an appeal to a magistrate, I must confess I am astonished. The act of Elizabeth did, it was true, give a right of appeal, but it gave it to the rate-payer, who might conceive himself injured by a rate unduly levied. I will tell the hon. Member where he will find the right of appeal to which he has referred first given to the pauper. It was in the reign of William and Mary. The hon. Member also supposes, that the poor-house test introduced in the bill of 1834 is a novelty. Is that to be taken as another proof of his legal knowledge? The test of labour in the workhouse, which is supposed to be a novelty which it was left to Lord Grey's Government to introduce, is part of the statute law. It stands on the statute book in as plain and indelible characters as those in which it was re-enacted by the bill of 1834. In that respect the measure of 1834, was but a plagiarism, and the adoption of an old principle to be found in the 9th of George 1st. If the hon. Member will refer to that statute, he will find that it went far beyond the present law; for it authorised the parochial authorities to let out paupers to other parishes, and to make a profit of their labour. I will quote the words of the act. [Here the right hon. Baronet read an extract.] Now, the House

will observe, that here is the principle, first, of the union workhouses, and, secondly, of the in-door relief test. And how long did the 9th of George 1st remain in force? It was the law of the land till 1796, when at a period of great distress, there was some relaxation of the rule; there was then a provision, that relief need not be limited to the walls of the workhouses, even as to able-bodied paupers; and from that act it was, that all those evils sprung which it was the intention of the New Poor-law Bill to remedy. The act of 1834, repealed the act of 1796, and left the 9th of George 1st in force; so that, were the present act repealed, the 9th of George 1st would be left in operation, with all its stringent prohibitions of out-door relief. In this state of the law, the question is, whether the administration of the workhouse test shall remain under the control of some central authority. Now, the hon. Member for Finsbury has said, that there is a general feeling in the large counties against the operation of the measure. But this has been well replied to by my right hon. Friend, the First Lord of the Treasury, who stated, that there are only 100 petitions against the bill, signed by less than 40,000 persons. [Mr. Ferrand here asked how many had been presented from boards of guardians?] Well, then, as the hon. Gentleman has asked that question, I will just state how these petitions are, many of them, got up. I have a letter describing the circumstances connected with the getting up of one from St. George's, Southwark, in these terms.

"A vestry meeting was convened in the parish church, to consider the new Poor-law Act Amendment Bill. The usual printed notices were distributed. A gentleman of the name of Boxer spoke against the enormities of the act. But in a parish containing 40,000 inhabitants, when I attended, the audience was thus composed:—two churchwardens, two overseers, one vestry clerk, one sexton, one parish clerk, two poor-rate collectors, one beadle, two reporters, the chairman, and seven other persons."

This was on the 14th of June last. There had been the ordinary excitements of "Odious tyranny," "Workhouse bastiles," "Three kings of Somerset-house," &c. My informant proceeds as follows:—

"Petitions to Parliament having been proposed, I proposed an amendment, to the effect, that as in a parish containing 50,000 inhabitants, not thirty persons could be assembled to discuss the subject, it was manifest that the parishioners were content to leave the question

in the hands of the Legislature. For the original motion, however, thirteen hands being held up, the petition were carried; and on an inquiry being made as to the expences of engrossing the petition, &c., it was carried that they should come out of the church-rate; seeing that the salutary dread of the Poor-law auditor deterred them from imposing the burden on the poor-rates."

So much, then, for the petitions. But further: the hon. Member for Finsbury, has declared that wages have not been raised since the passing of that the new Poor-law. Now, I was happy to hear the hon. Member for Montrose—roused from his usual apathy—assert emphatically that statement was not correct: for wages have been raised in consequence of that measure, and the hon. Member for Montrose will, doubtless, from a regard to the best interests of the poor, give the measure his cordial support. I beg to repeat, that I deem the continuance of the commission and a continuance to it of the confidence of Parliament the very key-stone of the measure, and I am firmly convinced, that if the first five clauses were omitted, the bill would be worse than useless; the Poor-law would then become a mass of confusion, productive to the poor of the greatest injury. Now, although I well know it is customary on these occasions to make plausible professions of zeal for the welfare of the poor, I shall make no such professions; but this I will declare, that having the condition of the poor constantly under my careful consideration, and my feelings being most powerfully interested in their relief, I am most deeply convinced of the necessity of this measure. I think the bill properly begins with the very point on which the law now stands—the justice of the continuance of the commission; all others are points of detail, being only modifications of the existing measure; and I am sure, that if the House, throwing aside all merely factious considerations, would apply itself calmly to the consideration of the bill, its deliberations would be conducive to the advantage of the public, and above all, to the alleviation of the distresses of the working classes, entitled as they are at all times to attention, and now, especially to the most tender and sympathetic regard.

Mr. E. Buller said, it was generally supposed that the much talked of 43rd of Elizabeth made full provision for out-door relief. It did no such thing. It referred to the 14th of Elizabeth, which it left unrepealed, and which enacted that the paupers who chose not to go into the



workhouses should be grievously whipped, even till blooded, and then bored through the gristle of the ear with a hot iron. It was in subsequent statutes only that out-door relief was provided for. Not till the 3rd of William and Mary was provision made for application to justices of the peace. It was the 35th George 3rd which prescribed the rate at which out-door relief was to be administered, and from that act all the multifarious evils remedied by the New Poor-law had flowed. The operation of the old out-door relief system had tended to break down and deteriorate the spirit of the working classes, destroying all their independence. Now, as to the question relative to the right of the poor to relief—in the sense of an indefeasible claim—no such right existed, nor could it be supported on any ground which might not equally support a claim for landed property. But there was certainly a claim to relief founded on the statutable prohibition of alms-begging. That claim, however, he contended was fully satisfied by the workhouse proviso. Anything beyond that must be matter of mere indulgence. Some test must be applied to destitution, and the workhouse test was far more lenient and far more just than the labour test. On these grounds he supported the continuance of the existing measure.

Mr. Bennett said, that the remarks of the hon. Member for Staffordshire embodied principles so widely differing from those by which he was actuated that he must be excused for offering a few observations. The hon. Member told them that the poor had no right to relief save that they derived from the law. Now, he argued, that they derived their right from a higher source—namely, from the common usage of the land to relieve the poor in cases of extreme necessity, and he contended that under that usage they had an absolute right to such maintenance as was in conformity with it. But this was beside the question. What they were now to consider was, what was best to be done under all the circumstances of the present time; and his feeling was decidedly for modification. He did wish to see the local authorities exercising discretionary powers independent of the commissioners. The commissioners could only act by general rules, and those rules sometimes operated with great harshness. What, for instance, was the effect of their orders

upon a labourer with 8s., 9s., or 10s. a week? Such a man must dispose of every chair and table he possessed before he could receive their relief, and then when he got into the workhouse what chance had he of getting out of it again? He could not repurchase his furniture—he possessed no means of reinstating himself in the world. These were cases of great hardship. He had met with several which had come immediately under his own notice, and he must say that he thought that under such circumstances the local boards of guardians ought to have a discretionary power of acting upon their own judgment. In his opinion, the idea of raising wages by the operation of the workhouse test had proved perfectly futile. At the time the Poor-law originally passed he had said that it would be ineffectual, for that wages were guided by the price of food. They had been so governed, and their notions of workhouse tests and of abstracting from one labour market to supply the demand in another had proved, as he predicted, great absurdities. But what they wanted was to see the law so administered as to give such comfort and support to the poor—and he only wanted a common support to be given—as would enable them to subsist free from beggary. In the west of England the commission had one year adopted a plan which had proved a great relief. They had taken the children of the poor people into the workhouse during the winter, and, so far from the practice being objected to, the mothers, when they found they were taken care of, gladly concurred in the plan. The winter following, however, the system was abandoned, and many of the poor, being unable to support themselves and their children too, had, in consequence, endured the greatest possible privations. He wished local boards of guardians to have some such power as this, and also to exercise more general control than they at present held. As to the question immediately under discussion, he was really much in doubt whether it was necessary to have commissioners in London or not, but at any rate, of one thing he was quite sure, and that was, that the commissioners at present relieved the country gentlemen of a vast deal of odium. At present nothing was more easy than for a guardian to refuse a request and throw upon the commissioners the blame of preventing his complying with it. For one, he did

not wish to evade his duty as a proprietor of the soil. He did not wish to relieve himself from any share of odium which might attach to his administration of the law. But, at the same time that it was his anxious desire to do his duty to his country and his fellows, he must say, that in coming to a decision upon this matter he was puzzled whether it would be better to assent to the continued appointment of commissioners at once, or to postpone the consideration of the point until hereafter. Feeling this doubt and difficulty, however, he should certainly not at once consent to appoint the commissioners for five years, and he would, therefore, give his vote in favour of the amendment.

Mr. E. R. Rice did not think the hon. Member who had last spoken was just in reference to the wages of labour. In his opinion it was not the New Poor-law which kept down wages, but in most cases the bad arrangement under the old law. With respect to the general question, he considered the simple point in dispute to be, whether the House would continue the new law with its numerous advantages, or revert to the old, and much abused system. For his own part, he firmly believed that nothing could be more advantageous for the labouring classes than the administration of the central control, so much objected to by some. It was difficult, if not impossible, to secure perfect uniformity in working the system, and there was no surer way of meeting the objections and inconveniences which thus arose than by the creation of a central power. He trusted they would assent to the continuance of the commission, and would then proceed at once to details. When they came to the consideration of these points, they would find him as anxious as any one to modify any harshness in the bill; and here he might take occasion to remark that he thought other hon. Members would have done better if they had applied their powers to the same object, rather than have tried to throw obstacles in the way of the passage of the measure. Among the modifications he should endeavour to obtain was an additional security by an enactment, to the effect that all new rules made by the commissioners should be submitted to, and should receive the sanction of, the Secretary of State before they were brought into operation. This he considered an important point, and he should have something more to say

on it when they came to discuss another clause.

Mr. S. Wortley said, the question of the appointment or non-appointment of the commissioners had been already discussed, and the House had thought fit to decide the point in such a manner as to leave no doubt as to their opinion on it. The question now was whether they were to proceed to vote a continuation of the commissioners' powers for five years and a Session before they went into the remaining clauses of the bill. If he were told that this proceeding was captious or troublesome to Government, he was prepared to say in reply that he thought a more reasonable proposition could scarcely be made. The hon. Member for Finsbury said,

"Here is a measure containing a variety of provisions hanging upon the first clause. That clause contains an appointment of commissioners for a specific term. There are differences of opinion as to the duration of that term, and can anything be more fair than that the discussion of the point shall be postponed until the other provisions have been considered?"

Now, for his own part, if he could so alter this bill as to render it what he thought it ought to be, and also to render it acceptable to the country at large, and more especially to his own constituents, he should, without the slightest reluctance, give his consent to the continuance of the powers of the commissioners. But he did think that it was rather unfair that they should be told that they must continue them without knowing on what terms they were to do so; and he would say at once, for himself, that before he voted for such a continuance he must know on what grounds it was asked, for he must see what alterations were to be made, and whether such new provisions as he thought necessary were to be introduced. He must see all this before he consented to grant these powers, and in thus acting he did not think he was at all taking a course which was unwarrantable. The right hon. Baronet told them that those who objected to these powers had only to look to the bill and they would find that every provision went to limit them. Now, to this proposition he could not consent. [Sir J. Graham: I said that every provision went to mitigate the existing law—not to limit the commissioners' powers.] Well, to mitigate the existing law. Perhaps one or two clauses of the bill did go to limit

the existing law, but there still remained the main principle on which the law turned—he meant the right of active and absolute interposition on the part of the commissioners. Now, he did most strongly object to the assertion of the principle, that it was necessary to this bill that such powers should be given. He hoped that the day was not far distant when they might expect to return to a more orderly, regular, and he would add, constitutional mode of operation, than taking all the power out of the hands of the local authorities. The sooner they dispensed with such central powers the better, if they would only put local administration on the better footing. He could conceive that for purposes of statistics, or such like, it might be advisable to retain such boards, but he repeated, that he did hope the day was not far distant when the local authorities might be reinstated with their constitutional powers, and might be freed from the perpetual interference of the commissioners. He was the more disposed to cherish this hope, because he observed, that the strength of the expression of public feeling on this subject had not been without its effect on the language of some of those who were accustomed to support the system. He would not say that those individuals had abandoned any opinion they entertained; but what he meant to say was, that they had become sensible of the strong public feeling which prevailed. That this was the case was proved by a number of remarkable admissions in the course of the debate. On the first reading the right hon. Baronet near him had admitted, that he had no longer any ground for defending the existence of the commission for the purpose of enforcing uniformity. He must say that he considered that a very important admission, and it was especially so as regarded the parties he represented, for there they had been accustomed to consider that uniformity was the main object to be gained. Then, again, in the debate on the second reading, the right hon. Baronet had also admitted, that parts of the law were inapplicable to the manufacturing districts. This was what they had felt very strongly in the north, and he must say, he believed not only that the statement was true, but that there were also points retained in the present bill which were equally inapplicable. A still *more important* admission was negatively

made by his right hon. Friend at the head of the Government. He owned that it did strike him, that his right hon. Friend so far agreed with him, that he studiously avoided saying anything that might be taken to imply that the agents or the powers of the commission were a necessary part of the general organization. They might differ as to the period to which they would wish to prolong the commission, but it certainly was a valuable concession to any party in opposition, even although it had been put negatively by the right hon. Baronet, that the time might arrive when there would be an alteration. The question, therefore, was, whether they should come to any decision as to the period for which the commission should be continued before they had considered the terms upon which it was proposed to continue it? Until they were satisfied as to the manner of its continuance, they could scarcely be expected to decide upon the other point. If the right hon. Baronet and the House could be induced to modify the provisions of the bill, so as to make it conducive to the best interests of the population of this country, he should not have the smallest objection to continue the commission for the whole period.

Captain *Pechell* said, the right hon. Baronet, the Secretary for the Home Department, had attempted to amuse the House by his description of an Anti-Poor-law meeting in the borough of Southwark, which he described to have consisted of two beadles, two churchwardens, two reporters, and other parties, in all, not exceeding thirty-six persons; and the right hon. Baronet seemed to shelter himself under the meagre amount of persons which he said attended the meeting. But the right hon. Baronet ought to have taken some notice of a meeting which was held on Thursday last, within two hours and a half's ride from London. He alluded to Brighton, of course; a town containing 46,000 inhabitants. It appeared, by a late decision in the Court of Queen's Bench, that the Poor-law commissioners were in possession of such powers with regard to towns having local acts as would place them in the same position as to the management of workhouses, and as to the relief out of doors, precisely as those places which formed part and parcel of Poor-law unions. The inhabitants of Brighton, therefore, being aware of the dangers to which they were rendered liable by the new law, saw

no other means of averting them than by opposing the continuance of the Poor-law commission. The hon. Gentleman who had just sat down had taken a very rational view of the question; because the first clause might be considered as the preamble of the bill; and the abolition of the Gilbert unions was specially provided for. But, independent of that, it seemed that the power of the commissioners was such, that they could deal with towns under special acts just as they could with Poor-law unions. Therefore, as the bill did not recognise the rights established by local acts, and as there was no disposition to agree to the proposition of the Member for East Sussex, he thought no better course could be taken than one of opposition to the continuance of the powers of the commissioners. He called upon the committee to postpone the clause, until it could be ascertained whether the Gilbert unions were to be protected or not. The right hon. Baronet, in opening this subject, had appealed to the feelings of the House in favour of the continuance of the commission. But in what manner did he receive the deputation from the guardians of Liverpool? The right hon. Baronet refused to see the deputation, because he knew what they wanted; and he refused to see the deputation from Brighton, because he did not know what they wanted. The right hon. Gentleman now assumed a very different spirit from that in which he had commenced these proceedings, and there was a sort of menacing tone which was not at all likely to conciliate the dislike which was felt towards this measure; and he could assure the right hon. Baronet that it was as much as he could do to keep peace and quietness amongst the people at Brighton. The right hon. Baronet had commenced one of his speeches by asking "Who is the Member for Rochdale and who seconds his amendment?" What right had he to do that? The right hon. Gentleman had spoken lightly of those unions which were not compelled to send up weekly reports to the commissioners, as though they were not competent to give any opinion upon the subject. The result of the experience of the people in Sussex with respect to neighbouring unions was, that they had no expectation of deriving any advantage from the continuance of the Poor-law commission. The circumstance which happened the other day, the case of a

child having been starved to death at Ringmer, was one not likely to make the measure satisfactory, either to those who paid the rates, or those who partook of them. The right hon. Baronet had received a most able statement, drawn up by Mr. Anderson, whose authority he could not deem a light one, and who was chairman of the vestry at Brighton. It was an important document, and showed a particular acquaintance with the working of the Poor-law, and he hoped the right hon. Gentleman had read it. It might be said, that if the guardians refused to act under the authority of the Poor-law commissioners, the country would be placed in a state of confusion. That had not been the case in Braintree when the guardians had retired from office. He believed that there was no union in which the Poor-laws might not be administered in a manner more satisfactory than they were at present, by a discretionary power in the hands of the guardians. The right hon. Baronet had said that the poor would be thrown out of employment in the inclement season, and there would be no means of relief provided for them, if his proposition were not carried. But why not give the guardians a discretionary power to act? He apprehended that no confusion would arise from the course which he advocated. At all events, they could not be in a worse position than they were. He should, therefore, consider it his duty to support the amendment of the hon. Member for Finsbury. The Poor-law commissioners had acted very unfairly; they had permitted abuses to exist, and what excuse had they for that? They did not attempt to interpose against a most extravagant outlay, at Brighton, of 9,000*l.*; but now, when the vestry proposed to lay out 2,000*l.* only, in the erection of a chapel and school, they stepped in to put a stop to it as an abuse, acting upon the powers which they were said to possess, according to the doctrine of Lord Denman. He concluded by declaring that the report of the Poor-law commissioners was inaccurate, and that he would support the motion for the continuance of the commission for one year and no longer.

Sir J. Graham said, the gallant Officer had called upon him so pointedly for some explanation of what he had said on a former evening, that he must offer a few words to the notice of the Committee, wishing to remind them that he had called

attention to a matter of fact, namely, that of two Members who opposed this bill, one was a Gentleman not conversant with the operation of the Poor-law act, and represented a large town to which its operation had not extended, and that the hon. and gallant Officer resided in a Gilbert union in Sussex; and he must add, that he thought his observations were quite consistent with the sentiments to which he had previously given expression. He did not think that the hon. and gallant Officer was informed of all the proceedings of the Brighton guardians, for he had that morning received a letter from Chester, enclosing another, which had been addressed, from Brighton, to the clerk of the board of guardians of the workhouse there, which was under a local act, as well as Brighton. Of this letter the hon. and gallant Officer seemed to be ignorant. He had stated how petitions against the Poor-law bill had been got up in the neighbourhood of the House—a meeting had been called in the borough of Southwark by public notice, and it was attended by twenty-six persons, thirteen of whom, he believed, agreed to a petition. Let the committee listen to the letter from Brighton:—

“Sir,—I beg to inform you that, as Sir J. Graham has declined to receive the deputation from Brighton, the vestry, guardians, and committee have sent in a statement of the Brighton case, and requested Mr. Darby, the Member for East Sussex (he should have thought they would rather have selected the hon. and gallant Officer) to move a clause which they have prepared and sent to him, to exempt all places under local acts entirely from the control of the Poor-law commissioners. Mr. Darby has written to me, promising to use every exertion in his power to carry the clause. I have, therefore, to request the favour of your board using all their Parliamentary influence to support his amendment.”

But what was the letter of the gentleman who had enclosed this one to him, and who was, he thought, clerk to the board of guardians at Chester? He said:—

“I enclose you a circular from the Brighton guardians, in order to show you the sort of machinery at work to get up a demonstration in places that have local acts against the Poor-law Bill. The Chester guardians, although under a local act, will not join in this opposition; they are not adverse to the principle of the measure nor to the commissioners, but they only object to be united to large rural districts, which the present bill provides against. They have elected as chairman for the present year a most strenuous supporter of

the Poor-laws, as well as myself, whose opinions are well known, as deputy-governor and treasurer; and I hope it will not be long before the board is placed under the superintendence of the commissioners.”

He hoped that was satisfactory to the hon. and gallant Officer.

Mr. Cardwell said, if he had not listened to the debates which had taken place on this subject, he should scarcely have supposed that any man would dream that the present system of Poor-laws was to die a natural death, no provision being made for the poor in its absence. The very feelings which made him adverse to the Poor-law Bill also impelled him to support the continuance of the existing measure till some better one be substituted. Some hon. Gentlemen had objected to the New Poor-law Bill because it was a great and excessive change in the law, and yet they were prepared at this time of day to plunge the whole country into confusion by suspending the present system without proposing an adequate provision for the poor. He confessed himself ready to waive some of his opposition to the unconstitutional nature of the system when he found that the right hon. Baronet proposed to continue it for five years only instead of ten; because he believed the right hon. Gentleman was dealing fairly with the country in so doing, and giving a pledge that he did not mean to make it a permanent system. He had not armed himself with tales of sorrow, or with statistical facts in relation to the operation of the Poor-law—not that he was unacquainted with cases of hardship and oppression, or with evidence of a statistical character. He thought that a measure of this kind should be viewed in connexion with certain principles, and with reference to its bearing on society generally. We approach the Government calmly and expound our views, and we say, “If you will satisfy us that the remedy which you are about to propose shall be co-extensive with the disease, we will promise to take no step which shall have the effect of embarrassing the Government.” The position which the right hon. Baronet held had not been properly considered. His (Sir R. Peel’s) was not so much the triumph of party as the well-marked expression of public opinion. Reference had been made to the majority who supported the right hon. Baronet. He (Mr. Cardwell) thought that the circumstance

of the right hon. Baronet being supported by so powerful a body in that House was a subject of congratulation. The right hon. Baronet could afford to listen to the reasons of the minority without compromising his character. He considered that what had fallen from the Government justified them in expecting some mitigation of the provisions of the bill. As the right hon. Baronet had stated that certain amendments might be introduced into the bill when in committee, it was not inconsistent for the House to ask the Government for a little delay. Why should those who wished for the postponement of the clause be compelled to vote against a clause which, as the hon. Member for the West Riding of Yorkshire said, it was possible they might afterwards be induced to support? All they asked for was for time to consider. If that was not granted it was their duty to support the motion before the House. He should be pleased if the Government could be induced to yield on this point. If they did not, he should vote against this clause.

Mr. *Darby* would address a few words to the House with reference to what had fallen from the hon. and gallant Member for Brighton. That hon. and gallant Member stated that he should oppose this bill on the ground of its interfering with local acts, without reference to its influence on other parts of the country. He could not take that view of the case. Hon. Members should bear in mind that if they got rid of the commissioners tomorrow, all the stringent laws with regard to the administration of out-door relief would still remain in full operation. He said this most decidedly. If the hon. Member for Finsbury wished to effect his object, he should bring in an act of Parliament to repeal the Poor-law Bill altogether. The hon. Member for Finsbury was mistaken on a point of law. That hon. Member had stated that there was no appeal to the magistracy in the case of the aged poor. Such was not the fact. They had the power of appeal, and the magistracy could administer relief. With respect to this class, the aged persons, the bill had acted well in his neighbourhood. The bill before the House differed from the act of the 43rd of Elizabeth with reference to the labour test. He objected to a Poor-law Continuance Bill every year. He wished to see introduced from time to time a Poor-law Amendment Bill, and then

the House would have an opportunity of discussing its clauses with a view to their modification, if necessary. If they had a Poor-law Continuance Bill instead of a Poor-law Amendment Bill, it could not be modified in committee. Whether it was for three or five years he would object to it. With respect to local acts he should not then enter into a discussion. If he should succeed in carrying his clause with reference to local acts he should be satisfied.

Mr. *T. Duncombe* wished to set himself right with the House and with the right hon. Baronet opposite, who had stated that he had consented to a continuance of the commission for five years. Nothing which he had said would warrant such a construction. He had stated when he brought forward his motion, that before he consented to allow the commission to continue either for one year or five years it must be proved to him that inconvenience would arise from its cessation. He objected to the bill on the ground that it was possible to afford the poor relief without any central control whatever. He was surprised that the Government had not at once come forward to support the motion which had been submitted to the House. His hon. Colleague, (Mr. *Wakley*) had moved that the first clause be postponed until the House decided what were to be the duties of the commissioners. First, let the House consider what was to devolve upon the commissioners, and then it would be time to discuss the question whether the commissioners could be dispensed with. That was the proposition before the House, and was it not a reasonable one? The view taken by himself and by his hon. Friend who proposed the amendment was that taken on a previous occasion by the right hon. Baronet the present Paymaster of the Forces. The right hon. Baronet had himself last year proposed to postpone the consideration of the first clause of a bill similar to that then before the House. On that occasion the right hon. Baronet stated:—

“In voting for the second reading of the bill, and for going into committee, he did not mean to give his approval of what the bill contained, concurring as he did with the hon. Member for Finsbury, that such amendments should be made as would render it more satisfactory to the country. He thought it would be convenient to postpone this clause for the present, and for this plain reason, that he was

not prepared to say how long the Poor-law commissioners ought to be continued until he had ascertained what their powers were to be. He moved the postponement of the clause upon two grounds—first, the mode and manner in which the commissioners had exercised their authority up to the present period; and, secondly, what powers were to be given to them hereafter.”

In the same speech the right hon. Baronet again said:—

“He would not be prepared to say how long the commissioners ought to be continued. He might go through the whole of the clauses of this bill, and find fault with them, but he did not think he should be justified in occupying the time of the committee by so doing. The noble Lord had certainly managed the matter with great skill and adroitness. He at first proposed ten years as the period of continuance for the commission, and appeared pertinaciously to adhere to that proposition, although he (Sir E. Knatchbull) believed that the noble Lord had no notion of carrying the point. The noble Lord knew that it was one which would be well discussed, and upon which there would exist differences of opinion, and therefore went upon the principle of asking ten, in order that he might secure five, in case that number should be suggested by any hon. Member on that (the Opposition) side of the House. His right hon. Friend the Member for Tamworth had intimated on the first night the question was debated, that five would be better than ten, but he did not understand him to say that five was the precise term of years he would wish to see under this bill. He thought it would be infinitely better to postpone the first clause until they had gone through the other clauses, when they would be in a much better position to decide that point, which was about the most important in the bill.”

That was the opinion of the right hon. Baronet in 1841, on the subject of the continuance of the commission. When the second reading of the bill was under the consideration of the House in supporting its principle. Mr. Fox Maule expressed a hope that his noble Friend would not withdraw his bill on that occasion. The right hon. Baronet the Paymaster of the Forces said—

“He could not agree with the hon. Gentleman who had just sat down, that he had no reason for exhibiting any partiality for this bill. The hon. Gentleman held an important station in the Home Office, whence this bill emanated; he, therefore, might have spoken with more warmth than he probably intended in support of it. He agreed, however, with the hon. Gentleman that it would be better to let the details of this bill be discussed in the committee; he should, therefore, confine the

few observations which he intended to make to one or two important points. With respect to the new clauses in the present bill, there were very few of them to which he could give his full and cordial assent. He had hoped when her Majesty's Government introduced this bill, apparently for the amendment of the Poor-laws, that they would not have confined themselves almost entirely to giving increased powers to the commissioners. He thought, that instead of strengthening the hands of the commissioners, they should have enabled them to proceed with less stringent enactments than existed in the present law.”

In order to be consistent the right hon. Baronet must support the motion of his hon. Friend the Member for Finsbury. He would not charge the right hon. Baronet with having changed his opinions. He thought that the right hon. Baronet at the head of the Government had been guilty either of a little pleasantry or malice, in placing the name of the right hon. Baronet the Paymaster of the Forces at the back of a bill which he had so strenuously opposed last year. He (Mr. Duncombe) had no doubt, however, that the right hon. Baronet would be able to give an explanation satisfactory to the electors of Kent, the House, and the country.

Sir E. Knatchbull said, he should be exceedingly sorry to disappoint the expectation of the hon. Member. The hon. Member in rising to make an explanation had taken an opportunity of making a personal attack on him to create a laugh at his expense. He could, however, give the House and the hon. Member a simple but plain explanation of the part he had acted with reference to the Poor-law Bill; but before doing so, he questioned the right of the hon. Member to call upon him for an explanation. It was quite true that he took the course pointed out by the hon. Gentleman when the bill was introduced last year by the noble Lord the Member for the City of London, but he found that he met with very little support even from hon. Members opposite. The almost universal opinion of the House was against him, and, as he had no reason to suppose that the House had altered its opinion, he certainly could see no reason why he should support the motion of the hon. Member for Finsbury. He thought he would be perfectly justified in doing so on the ground that very considerable modifications had been made in the bill, although he was not satisfied with the bill introduced by the

noble Lord ; and inasmuch as the present bill proposed to mitigate many of the evils of the Poor-law, he thought he might, with perfect consistency, vote for it. The motion before the House was not proposed with the same view as the motion he made last year—he proposed *bond fide* to postpone the commissioners' clause until the House had decided upon the powers to be exercised by them, but the motion before the House was avowedly intended to defeat the bill, and on that ground he could not support it. He confessed that many of the earlier publications of the commissioners he had looked at with regret, but from a close attention to what had been the practice of late, he knew that very material modifications had been made in their rules, and he was prepared to give his vote for the continuance of the commission for the period named in the bill.

Mr. P. Howard did not think that the hon. Baronet had been so successful in vindicating his own change of opinion, because if he had voted against the appointment of commissioners, whatever modifications of the principle of the bill were afterwards made, he ought now to vote with the hon. Member for Finsbury. On one point he agreed with the right hon. Gentleman, that in many cases the unpopularity of the commissioners had arisen rather from harsh expressions in their regulations, than from anything which they had enacted. Expressions which he trusted would never be repeated, respecting the giving of alms, had created considerable feeling against their power. Hon. Gentlemen seemed to think, that the power of the commissioners did away with the principles of local Government. It did no such thing; it merely gave a court of appeal, which acted more in favour of the poor than against them. It had been asserted, that the poor had no positive claim to relief. To that doctrine he could not assent. It was well known, that, previous to the time of Henry 8th, there were no Poor-laws, and the poor were maintained from the patrimony of the church. The church property having been taken away at the time of the dissolution of the monasteries, the poor were deprived of a considerable portion of income which the canon law devoted to their support. The act of Elizabeth was merely an act of restitution, when Parliament gave back to the poor that which was wrenched from them against every principle of justice.

He had given his support to this bill, and he concurred in the view taken by the right hon. Baronet in pressing this bill through Parliament during the present Session. He could fancy nothing more disastrous to the country than the annual agitation of this subject. It would arm the factious in every part of the kingdom with power against the authority of the law. It was desirable to pass the bill in a spirit of conciliation, and not allow it to be a constant source of agitation and discord.

Mr. Wakley, after four hours' discussion, was compelled to say, that he had not heard one single argument of the slightest weight advanced against his proposition. Thanks to the excellent memory of his hon. Colleague, the arguments put forth last year by the right hon. Baronet, the Member for Kent, were again fresh in the recollection of the House; and he could not improve upon them. He would only ask, was the House prepared to vote that the commission should positively last for six years before they had resolved upon the nature and extent of the powers they would intrust the commissioners with? Every man of sense out of the House would say that his proposal was a reasonable one, and they would be astonished to find that it had met with any opposition whatever. The right hon. Baronet the Secretary for the Home Department declared the determination of the Government to proceed with the bill as it stood. Notice had been given of at least forty amendments, and forty more might be brought forward before the bill got through committee, yet they were going to vote that the commission should last six years, they being in perfect blindness as to the powers or duties of the commissioners. He was prepared to go on discussing clause after clause, not in any factious spirit; but the bill was one of immense importance, and it was impossible it could meet with too much investigation and deliberation. He called upon all who had given notice of an amendment to vote in favour of his motion, otherwise they would be in the hands of the Government, and their amendments would be laughed at. With respect to the education of the children of the poor, the right hon. Baronet the Secretary for the Home Department had misunderstood him. He was most anxious to maintain the existing form of Government—he thought it was the best adapted for the



country. What he spoke of was the constitution of that House—it was the present system of electoral law that he wished to see overthrown. He desired to see the people have more power in that House and in order to qualify them for the electoral rights he desired to see them educated.

The committee divided on the question that the clause be postponed—Ayes 74: Noes 206; Majority 132.

#### List of the AYES.

Ainsworth, P.	Hanmer, Sir J.
Arkwright, G.	Harris, J. Q.
Attwood, M.	Hawkes, T.
Beckett, W.	Henley, J. W.
Benett, J.	Hervey, Lord A.
Blackstone, W. S.	Hodgson, F.
Blake, M.	Hornby, J.
Bowering, Dr.	Humphery, Ald.
Broadwood, H.	James, Sir W. C.
Brocklehurst, J.	Jervis, J.
Brotherton, J.	Lawson, A.
Brownrigg, J. S.	Liddell, hon. H. T.
Buck, L. W.	Masterman, J.
Burroughes, H. N.	Mundy, E. M.
Busfield, W.	Napier, Sir C.
Callaghan, D.	O'Brien, A. S.
Cardwell, E.	O'Connell, D.
Christopher, R. A.	O'Connell, J.
Cochrane, A.	Palmer, R.
Collins, W.	Palmer, G.
Colville, C. R.	Pechell, Capt.
Crawford, W. S.	Polhill, F.
Denison, E. B.	Pollington, Visct.
D'Israeli, B.	Richards, R.
Douglas, Sir H.	Scholefield, J.
Duke, Sir J.	Sibthorp, Col.
Duncombe, T.	Smythe, hon. G.
Eaton, R. J.	Stewart, J.
Etwall, R.	Stuart, H.
Farnham, E. B.	Taylor, J. A.
Fielden, J.	Walker, R.
Ferrand, W. B.	Wallace, R.
Fitzroy, hon. H.	Williams, W.
Gore, M.	Wodehouse, E.
Greenall, P.	Yorke, H. R.
Grimsditch, T.	
Halford, H.	
Hall, Sir B.	
Hampden, R.	

#### TELLERS.

Wakley, T.  
Wortley, Hon. J. S.

#### List of the NOES.

Acland, Sir T. D.	Baring, hon. W. B.
Acland, T. D.	Baring, rt. hon. F. T.
A'Court, Capt.	Barnard, E. G.
Adderley, C. B.	Barrington, Visct.
Aldam, W.	Bentinck, Lord G.
Alford, Visct.	Beresford, Major
Allix, J. P.	Bernal R.
Antrobus, E.	Blackburne, J. I.
Bailey, J.	Blakemore, R.
Baillie, Col.	Bodkin, W. H.
Baird, W.	Botfield, B.

Bradshaw, J.	Hobhouse, rt. hn. Sir J.
Bramston, T. W.	Hodgson, R.
Broadley, H.	Hope, hon. C.
Browne, R. D.	Howard, Lord
Bulkeley, Sir R. B. W.	Howard, P. H.
Buller, C.	Howard, hon. H.
Buller, Sir J. Y.	Howick, Visct.
Cartwright, W. R.	Hughes, W. B.
Chapman, A.	Hutt, W.
Charteris, hon. F.	Jackson, J. D.
Chelsea, Visct.	James, W.
Chetwode, Sir J.	Jermyn, Earl
Childers, J. W.	Johnstone, Sir J.
Clerk, Sir G.	Johnstone, H.
Clive, E. B.	Jolliffe, Sir W. (t. H.)
Clive, hn. R. H.	Kemble, H.
Colebrook, Sir T. E.	Knatchbull, rt. hn. Sir R.
Craig, W. G.	Knight, H. G.
Cripps, W.	Lascelles, hon. W. S.
Damer, hon. Col.	Lincoln, Earl of
Darby, G.	Lindsay, H. H.
Dawnay, hon. W. H.	Listowel, Earl of
Dickinson, F. H.	Litton, E.
Divett, E.	Lockhart, W.
Dodd, G.	Lyall, G.
Douglas, J. D. S.	Lygon, hon. Gen.
Dugdale, W. S.	Macaulay, rt. hn. T. B.
Duncan, G.	Mackenzie, T.
Duncombe, hon. A.	Mackenzie, W. F.
Du Pre, C. G.	Maclean, D.
East, J. B.	M'Geachy, F. A.
Ebrington, Visct.	M'Taggart, Sir J.
Egerton, W. T.	Mahon, Visct.
Egerton, Sir P.	Mainwaring, T.
Eliot, Lord	Mangles, R. D.
Elphinstone, H.	Manners, Lord J.
Escott, B.	March, Earl of
Estecourt, T. G. B.	Marshall, W.
Evans, W.	Marshall, Visct.
Fellowes, E.	Marland, H.
Fleming, J. W.	Martin, J.
Flower, Sir J.	Martin, C. W.
Forbes, W.	Master, T. W. C.
Forster, M.	Meynell, Capt.
Fuller, A. E.	Miles, P. W. S.
Gaskell, J. Milnes	Morris, D.
Gibson, T. M.	Neville, R.
Gill, T.	Nicholl, rt. hon. J.
Gladstone, rt. hn. W. E.	Norreys, Lord
Glynne, Sir S. R.	Norreys, Sir D. J.
Godson, R.	Northland, Visct.
Gordon, hon. Capt.	O'Brien, J.
Goring, C.	Ogle, S. C. H.
Goulburn, rt. hon. H.	Paget, Col.
Graham, rt. hn. Sir J.	Palmerston, Visct.
Greenaway, C.	Parker, J.
Gregory, W. H.	Patten, J. W.
Grey, rt. hn. Sir G.	Peel, rt. hn. Sir R.
Grimston, Visct.	Peel, J.
Grogan, E.	Pendarves, E. W. W.
Hale, R. B.	Plumridge, Capt.
Hamilton, W. J.	Plumptre, J. P.
Harcourt, G. G.	Pollock, Sir F.
Hardinge, rt. hn. Sir H.	Powell, Col.
Hastie, A.	Pringle, A.
Hawes, B.	Protheroe, E.
Hepburn, Sir T. B.	Pusey, P.

Reid, Sir J. R.	Trevor, hon. G. R.
Repton, G. W. J.	Trotter, J.
Rice, E. R.	Tufnell, H.
Rose, rt. hon. Sir G.	Tyrell, Sir J. T.
Rous, hon. Capt.	Vane, Lord H.
Rushbrooke, Col.	Vere, Sir C. B.
Ryder, hon. G. D.	Vernon, G. H.
Sanderson, R.	Vivian, hon. Capt.
Seymour, Lord	Waddington, H. S.
Seymour, Sir H. B.	Walsh, Sir J. B.
Shaw, rt. hon. F.	Wawn, J. T.
Smith, A.	Welby, G. E.
Smith, B.	Whitmore, T. C.
Smith, rt. hon. R. V.	Wood, B.
Somerville, Sir W. M.	Wood, C.
Stanley, Lord	Wood, Col.
Stuart, Lord J.	Wood, Col. T.
Stuart, W. V.	Worsley, Lord
Stock, Serj.	Wrightson, W. B.
Strutt, E.	Wynn, Sir W. W.
Sutton, hon. H. M.	Wyse, T.
Talbot, C. R. M.	Yorke, hon. E. T.
Thesiger, F.	Young, J.
Thompson, Ald.	
Thornely, T.	TELLERS.
Thornhill, G.	Fremantle, Sir T.
Tollemache, hon. F. J.	Baring, H.

Clause agreed to.

On clause 2,

Mr. B. Wood said, it appeared from returns made to that House, that in 1840, nearly 13,000 parishes had been formed into unions. At that time 795 parishes were unconnected with any union; but he took it for granted that a great portion of those parishes had since been joined to unions. It therefore appeared to him that assistant-commissioners were no longer required. The expense entailed upon the country by the maintenance of those assistant-commissioners was 20,000*l.* a year, and their services might now, he thought, be very well dispensed with. It had been said by the right hon. Baronet the Secretary of State for the Home Department, that if there were no assistant-commissioners, the former iniquitous system would again prevail. He would direct the attention of the House for a moment to the Keighley union, which was formed in 1837. It appeared that Mr. Alfred Power, the assistant Poor-law commissioner, had visited that union on three occasions during the year 1839. They had heard much said lately with respect to the state of affairs in that union; and he would ask if it was not, at least in some measure, the fault of the assistant commissioners that such a state of things existed? If the assistant-commissioners performed their duty in inspecting the workhouses, and inquiring into the state of the unions, how was it that Keighley

was in such a condition? He wished also to call the attention of the House to the present mode of the appointment of auditors. He thought a great improvement would be effected by abolishing the offices of assistant commissioners, and appointing auditors in their place. The assistant-commissioners were appointed by the Poor-law Commissioners. The auditors were at present appointed by the boards of guardians, and he thought a worse system could not exist, for the accounts which it was the duty of the auditors to examine were those of the guardians. He considered the assistant-commissioners entirely useless, for it had been stated that they had not visited some unions for a long period. The Keighley union it seemed had only been visited three times in one year. If the assistant-commissioners were converted into auditors, not only would a great expenditure be saved to the country, but the accounts of the guardians would, he had no doubt, be more efficiently examined than under the present system, and any improper items would be disallowed. The hon. Member was understood to move that in clause 2, lines 19 and 20, the words "assistant-commissioners" be expunged.

Sir J. Graham said, he thought he was justified in assuming, after the repeated divisions which had taken place, that a considerable majority of hon. Members were in favour of the continuance of the commission. The question now to be argued was, whether the central commission being established, assistant-commissioners were to be maintained, whose duty it should be to visit the various unions. The hon. Gentleman had not confined his remarks to the continuance of the assistant-commissioners, but had made some observations as to the inefficiency of the present auditors. He thought, that the system now pursued with regard to the appointment of auditors was most impolitic, for the accounts of the boards of guardians were in fact audited by the guardians themselves. The present bill would, to a certain extent, remedy this defect; but, he thought it would be better for the hon. Member to bring forward his proposal on this point when they came to consider that portion of the bill to which he referred. He thought it was most necessary that assistant-commissioners should be maintained, who might visit the various unions, and inquire into local circumstances; and this opinion was entertained by the hon. Member for Rochdale, who, though he objected to the central commission, was

favourable to the maintenance of itinerant commissioners. The proposition of the hon. Member for Southwark (Mr. B. Wood), was, in fact, merely to change the title of the assistant-commissioners. The hon. Member proposed, that those assistant-commissioners, who now reside principally in the country, should be stationed in London, and should be sent down by the commissioners to visit the unions in the character of auditors. If they had a central board established for the purpose of supervising the whole system, it was impossible that that board could act efficiently without some means of personal inspection. He stated no more than the fact, when he said, that the assistant-commissioners were the hands and eyes of the central board. If they abolished the assistant-commissioners, it would be useless to maintain the central board. If the House thought the assistant-commissioners should cease to exist, it ought also to dispense with the central commissioners. The hon. Member had referred to the case of the Keighley union, but his observations merely showed, that the inspection had in that instance been inefficient. If his statement proved anything, it was that the number of assistant-commissioners was too limited to enable them to conduct their inspection so efficiently as was desirable. He was satisfied, that as far as the north of England was concerned, more frequent inspection was desirable, and he should be glad to see it established.

Colonel *Sibthorp* thought the best thing that could be done would be to throw the bill and the whole of its machinery overboard. There was not a clause, not a sentence, not a line, not a word of it, which could meet with his approbation. If there were to be assistant-commissioners at all, it was evident that the number proposed by the bill would not be sufficient. When an opportunity was afforded to him of taking the sense of the House on his amendment, he would endeavour to get rid of the bill root and branch, commissioners, assistant-commissioners, and all.

Mr. *Ferrand* stated, as a Member of that House, that that part of Mr. Mott's report which charged the magistrates with interfering with the relief of the poor in the Keighley Union was a malicious falsehood. When an assistant-commissioner could go down at such a momentous time as just when there was going to be a debate on the Poor-law, and make these scandalous charges against the magistrates, he *did think, that the House should take such steps as would prevent Mr. Mott from*

ever acting as an assistant-commissioner again. Was the House aware who this Mr. Mott was, who went down and made these scandalous charges? Mr. Mott had accused him, another Member of the House, and four other gentlemen in the commission of the peace with having, for the sake of gaining popularity to themselves, interfered with the relief of the poor; and he had a right to show the House who Mr. Mott was. He found, then, that Mr. Mott had been a contractor for the maintenance of the poor of Lambeth, and that he had undertaken to farm out the poor in different parts of the country, and among others the poor of the parish of Alverstoke, in which Gosport is situate; that, as appeared from his examination before the commissioners of Poor-law inquiry, he farmed the poor of Lambeth at 3s. 11d. a-head, and those of Gosport at 2s. 8d. a-head; that he found that scowering the scales at the Lambeth workhouse made a difference of about half an ounce in the scales, or about 50lb. of meat a-week. Mr. Mott had proposed in this examination that the diet in workhouses should be reduced both in quantity and quality, by a compulsory order. This was the man whose charges against the magistrates of Keighley, he declared to be false, on the authority of a gentleman who had sat at the board of guardians since it was formed; and also of the clerks of the magistrates, who assured him, with the sanction of the magistrates, that there was not one word of truth in that part of the report. Then, as to Sir J. Walsham's report, he knew to be false, several of the extracts which had been read by the right hon. Baronet (Sir J. Graham) from that report. He was convinced, that Sir J. Walsham was sent down in order to get up a statement to meet him in the House of Commons; and he asked the right hon. Gentleman whether he did not know of Sir J. Walsham's having been sent down previous to the debate? As to the statement of that Gentleman, that a pauper in the Bingley workhouse had been obliged to lie in the same bed with a dead person, he considered it a most monstrous statement.

Sir J. *Graham*: I am very unwilling to divert the attention of the committee from the point more immediately before it,—namely, whether or no assistant-commissioners shall be continued; but after the direct appeal of the hon. Member, I think it right to answer that appeal immediately. I will begin by answering that part which

more immediately related to myself, namely, whether Sir John Walsham was directed to visit the Keighley union immediately before the present debate. The hon. Gentleman had stated distinctly that a prohibitory order respecting out-door relief was in force in the Keighley union, and he accounted for the crowded state of the workhouse as being the effect of that order. I then stated, that that prohibitory order was never issued in the Keighley union. I am now about to use an expression which the hon. Gentleman will perhaps understand. I will join issue with him, not as to the character of Mr. Mott, but upon the question more immediately pending, namely, as to what has been the administration of the relief to the poor in the Keighley union. Mr. Mott is unknown to me. I found that gentleman to be an assistant poor-law commissioner, appointed some years ago, and I am not aware of any circumstance which ought to dispose me to think any statement made by him to be untrue. The hon. Gentleman has stated that he knows Mr. Mott's report to be untrue. Of course I cannot speak of my own personal knowledge. I communicated to the House what had been represented to me. After I understood that some very strong objections had been taken to issue an out-door relief order for Keighley, founded upon Mr. Mott's report, Sir John Walsham, being in the immediate neighbourhood, and not sent specially to Keighley, but being in the Burnley union, I suggested to the Poor-law Commissioners, in order to remove all doubt upon the subject, that Sir J. Walsham should be sent there. I think I was justified in doing so. Nothing can be less satisfactory than to meet an assertion by counter-assertion. The House will recollect the offer I made the hon. Gentleman. I do not now recede from it. If the hon. Gentleman will move for a committee to inquire into all the circumstances connected with the management of the Keighley union, as set forth in the reports of Mr. Mott and Sir J. Walsham, I will second the motion. That there may be no mistake as to the precise points for inquiry, I will state to the hon. Gentleman the prominent questions which, as I am informed, can be substantiated by evidence before that committee. The points are these :—

"1. The occupation of one small bed-room by three married couples (two of the couples young and able-bodied), and by two other females (one young and the mother of bastards). 2. The confinement in childbirth of a young woman in a bed-room occupied by

above twenty other individuals, and opening out of the first-named room. 3. The use of the hovel described in Sir J. Walsham's report as a school-room, under the management of an old pauper. 4. The intermixture of males and females in rooms opening out of the same passage, and closely adjoining each other, as well as in one or more instances opening out of each other; a young woman's bed-room, for example, opening out of a man's bed-room, the master and matron in the meanwhile sleeping down stairs. 5. The fact that the same roof covers the Bingley gaol and the Bingley poorhouse, the former being, however, the best half of the building. 6. In short, all other circumstances named in the report with reference to the Bingley poorhouse, Mr. Ferrand living close to Bingley."

Another point is added, most horrible, if true, and to the statement I request the particular attention of the hon. Member (Mr. Ferrand) :—

"The master of the Keighley poorhouse volunteered to tell Sir J. Walsham, when he was expressing his dissatisfaction at the comfortable position in which the girl recently confined was placed, that, bad as that might be thought, he was sorry to say he had been obliged, for want of proper accommodation, to let the dead remain by the living till buried. Much horrified at this, Sir J. Walsham himself asked the question of the Bingley master, and he admitted, that when the house was full (as it then was) he also was compelled to do the same as they did at Keighley."

This is the issue to which I now challenge the hon. Member. Let the hon. Member move for a committee. This time there can be no mistake. These are the allegations which can be confirmed by evidence, and if the hon. Gentleman likes to move for an inquiry, I will second the motion.

Mr. Wakley asked, if the assistant Poor-law commissioners, with the 20,000*l.* a-year, nearly, which they cost the public, witnessed these enormities without checking them, of what use were they. As to dead bodies lying in the same room with the living, was the right hon. Baronet aware that such things happened every day in this metropolis—such was the condition of the poor. He had known bodies to remain two, three, and four days in the midst of a family of four or five persons, who had not the means of removing them. Within the last six weeks he had held an inquest on the body of a child which was in the room with its parents five weeks after it was dead. It had been stated to

him that the father of the child made application for a coffin, but did not get it on account of some offence he had given. Ultimately, however, he succeeded in getting a coffin; but on applying to the guardians to bury the corpse, and being questioned as to whether there were any ornaments upon it, to which he replied in the affirmative—there being some small bits of plate—he was told that the clergyman would not bury it without the usual fee; that it would not be buried as a pauper, as the coffin was ornamented. Talk of the Keighley union! Things far more detestable and odious had come under his own observation. Soon after the establishment of the Poor-law commission the tolling of the bell and the use of the pall had been refused to paupers. Altogether the system was too detestable to admit of comment. As to the difference between the hon. Member opposite and Mr. Mott, he believed the hon. Gentleman, and not Mr. Mott.

Mr. R. Yorks said, the matter ought to be investigated. He most respectfully submitted that it was clearly the duty of the executive to investigate the charges that had been made, for up to this moment they had not been satisfactorily met. Above all things, if the New Poor-law commission were to be continued, it should be first ascertained, as far as possible, whether the commissioner's acts had been faultless or not.

The committee divided on the question, that the words "assistant-commissioners" stand part of the clause:—Ayes 228; Noes 45:—Majority 183.

#### *List of the AYES.*

Acland, Sir T. D.  
Acland, T. D.  
A'Court, Capt.  
Adderley, C. B.  
Adam, W.  
Alford, Visct.  
Allix, J. P.  
Antrobus, E.  
Bailey, J.  
Baring, hon. W. B.  
Baring, rt. hon. F. T.  
Barrington, Visct.  
Bateson, R.  
Bellow, R. M.  
Bentinck, Lord G.  
Berresford, Maj.  
Blackburne, J. I.  
Blake, M. J.  
Bodkin, W. H.

Bothfield, B.  
Bradshaw, J.  
Bramston, T. W.  
Broadley, H.  
Brooke, Sir A. B.  
Brotherton, J.  
Browne, R. D.  
Browne, hon. W.  
Bruce, Lord E.  
Bulkeley, Sir R. B. W.  
Buller, C.  
Buller, Sir J. Y.  
Burrell, Sir C. M.  
Burroughes, H. N.  
Busfield, W.  
Cardwell, E.  
Cavendish, hon. C. C.  
Cavendish, hon. G. H.  
Charteris, hon. F.

Chelsea, Visct.  
Chetwode, Sir J.  
Childers, J. W.  
Cholmondeley, hn. H.  
Chute, W. L. W.  
Clayton, R. R.  
Clerk, Sir G.  
Clive, E. B.  
Clive, hon. R. H.  
Cowper, hon. W. F.  
Craig, W. G.  
Gripps, W.  
Damer, hon. Col.  
Darby, G.  
Dawnay, hon. W. H.  
Dennison, J. E.  
Dickinson, F. H.  
Douglas, Sir H.  
Dugdale, W. S.  
Duncan, G.  
Dundas, D.  
East, J. B.  
Eaton, R. J.  
Ebrington, Visct.  
Egerton, W. T.  
Eliot, Lord  
Elphinstone, H.  
Escott, B.  
Estcourt, T. G. B.  
Evans, W.  
Fellowes, E.  
Filmer, Sir E.  
Fitzroy, hon. H.  
Fleming, J. W.  
Flower, Sir J.  
Follett, Sir W. W.  
Forbes, W.  
Forrester, hn. G. C. W.  
Forster, M.  
Fuller, A. E.  
Gaskell, J. M.  
Gibson, T. M.  
Gill, T.  
Gladstone, rt. hn. W. E.  
Glynne, Sir S. R.  
Gordon, hon. Capt.  
Gordon, Lord F.  
Gore, hon. R.  
Goring, C.  
Goulburn, rt. hon. H.  
Graham, rt. hn. Sir J.  
Greenaway, C.  
Grey, rt. hon. Sir G.  
Grimston, Visct.  
Grogan, E.  
Hale, R. B.  
Hamilton, W. J.  
Harcourt, G. G.  
Hardinge, rt. hn. Sir H.  
Hawes, B.  
Hervey, Lord A.  
Hill, Lord M.  
Hobhouse, rt. hn. Sir J.  
Hogg, J. W.  
Hope, hon. C.  
Howard, Lord  
Howard, P. H.

Howard, hon. H.  
Howard, Sir R.  
Howick, Visct.  
Hughes, W. B.  
Hussey, T.  
Hutt, W.  
Jackson, J. D.  
James, W.  
Jermyn, Earl  
Johnstone, Sir J.  
Johnstone, H.  
Jolliffe, Sir W. G. H.  
Jones, Capt.  
Kemble, H.  
Kerr, D. S.  
Knatchbull, rt. hn. Sir E.  
Knight, H. G.  
Knightley, Sir C.  
Labouchere, rt. hn. H.  
Lascelles, hon. W. S.  
Lefroy, A.  
Legh, G. C.  
Lennox, Lord A.  
Lincoln, Earl of  
Lindsay, H. H.  
Litton, E.  
Lockhart, W.  
Lowther, J. H.  
Mackenzie, W. F.  
McGeachy, F. A.  
Mainwaring, T.  
Mangles, R. D.  
Manners, Lord C. S.  
Manners, Lord J.  
March, Earl of  
Marshall, W.  
Marsham, Visct.  
Marsland, H.  
Martin, J.  
Martin, C. W.  
Master, T. W. C.  
Meynell, Capt.  
Miles, P. W. S.  
Mitchell, T. A.  
Neville, R.  
Nicholl, rt. hon. J.  
Norreys, Lord  
Norreys, Sir D. J.  
O'Brien, A. S.  
O'Brien, J.  
Ogle, S. C. H.  
Palmer, R.  
Palmerston, Visct.  
Parker, J.  
Patten, J. W.  
Peel, rt. hon. Sir R.  
Peel, J.  
Pendarves, E. W. W.  
Plumridge, Capt.  
Plumptre, J. P.  
Polhill, F.  
Pollock, Sir F.  
Ponsonby, hon. J. G.  
Powell, Col.  
Praed, W. T. |  
Pringle, A.  
Pusey, P.

Rashleigh, W.	Thompson, Ald.
Reid, Sir J. R.	Thornely, T.
Rice, E. R.	Thorhill, G.
Ricardo, J. L.	Tollemache, hn. F. J.
Rose, rt. hon. Sir G.	Trench, Sir F. W.
Rous, hon. Capt.	Trevor, hon. G. R.
Rundle, J.	Trollope, Sir J.
Rushbrooke, Col.	Trotter, J.
Russell, Lord J.	Tufnell, H.
Russell, Lord E.	Vane, Lord H.
Ryder, hon. G. D.	Vernon, G. H.
Sanderson, R.	Vivian, hon. Capt.
Scarlett, hon. R. C.	Waddington, H. S.
Seymour, Sir H. B.	Watson, W. H.
Shaw, rt. hon. F.	Wawn, J. T.
Sheil, rt. hon. R. L.	Welby, G. E.
Smith, A.	Whitmore, T. C.
Smith, rt. hon. R. V.	Wodehouse, E.
Somerville, Sir W. M.	Wood, G.
Stanley, Lord	Wood, Col.
Stansfield, W. R. C.	Wood, Col. T.
Stuart, Lord J.	Worsley, Lord
Stuart, W. V.	Wortley, hon. J. S.
Stuart, H.	Wyse, T.
Strutt, E.	Yorke, hon. E. T.
Sturt, H. C.	Young, J.
Sutton, hon. H. M.	TELLERS.
Talbot, C. R. M.	Fremantle, Sir T.
Thesiger, F.	Baring, H.

#### List of the NOES.

Arkwright, G.	Hanmer, Sir J.
Attwood, M.	Harris, J. Q.
Beggs, W.	Hawkes, T.
Blackstone, W. S.	Henley, J. W.
Brocklehurst, J.	Hodgson, F.
Brownrigg, J. S.	Hodgson, R.
Beck, L. W.	Holland, R.
Callaghan, D.	Jervis, J.
Cochrane, A.	Mundy, E. M.
Collins, W.	Napier, Sir G.
Celville, C. R.	O'Connell, D.
Crawford, W. S.	O'Connell, J.
Denison, E. B.	Pechell, Capt.
Douglas, Sir C. E.	Pollington, Visct.
Douglas, J. D. S.	Richards, R.
Duke, Sir J.	Scholefield, J.
Duncombe, T.	Sibthorp, Col.
Etwall, R.	Taylor, J. A.
Fielden, J.	Walker, R.
Ferrand, W. B.	Wilbraham, hon. R. B.
Greenall, P.	Williams, W.
Grimesditch, T.	TELLERS.
Halford, H.	Wood, B.
Hall, Sir B.	Wakley, T.

Captain Pechell moved, that the Chairman do report progress and ask leave to sit again.

Motion agreed to.

House resumed. Committee to sit again.

House adjourned at a quarter-past one o'clock.

## HOUSE OF LORDS,

Tuesday, June 28, 1842.

MINUTES.] *BILLS.* Public.—1<sup>st</sup>. Municipal Corporations (Ireland); Justices at Sessions.

2<sup>nd</sup>. Tithes Commutation.

*Committed.*—Dean Forest Poor.

3<sup>rd</sup>. and passed:—Testimony Perpetuating; Slave Trade Abolition (Argentine Confederation); Slave Trade Suppression (Haiti); Slave Trade Treaties.

*Private.*—1<sup>st</sup>. Liverpool and Manchester Railway.

2<sup>nd</sup>. Leicester Small Debts; Leeds Improvement.

*Reported.*—Birmingham Free Grammar School Estate; Mostyn's Estate; Bishop of Derry's Estate; London and Greenwich Railway.

3<sup>rd</sup>. and passed:—Sudbury Improvement.

*PETITIONS PRESENTED.* By the Bishop of Landaff, from the Rev. J. H. Sandamort; and by the Bishop of London, from the Rev. C. Miller, for the Repeal of the Tithes Commutation Act.—From Wolverhampton, Morpeth, Newcastle-on-Tyne, Stafford, and Macclesfield, to secure Religious Instruction to Catholics in the Army and Navy.—From Newport, Kensington, Hammersmith, and Fulham, for the Encouragement of Schools in connection with the Church Education Society for Ireland.

MEDICAL CHARITIES, (IRELAND.)] The Earl of Mountcashell rose, pursuant to notice, to bring under the consideration of the House certain returns relative to medical charities in Ireland. The noble Earl referred to a circular letter written by Mr. D. Phelan, an assistant Poor-law commissioner in Ireland, to medical men connected with charitable institutions in that country, marked upon it "private and confidential," to which a great many answers had been received. The medical men answering the letter answered it in confidence, on account of its being considered a private communication. The letter sought to obtain their opinion of the present mode of dispensing medical charities. Now there were ninety-three answers returned, but twenty-nine only had been made public. He had on a former occasion moved for the production of all the returns on the subject in the possession of the Poor-law commissioners of Ireland, but except the few produced they were kept back. This was most unfair, because the opinions of the medical men could not be obtained. He begged to mark the jesuitical manner in which Mr. Phelan had acted in the matter. Before Mr. Phelan wrote the circular he went on a tour of inspection in Ireland, visiting not fewer than 600 dispensaries of one sort or another, and having heard what the opinions of the medical persons were he made his selection and sent the circular in question to the persons whose opinions were to him the most satisfactory. It was obvious, from what Mr. Phelan stated, that he desired to obtain the opinions freely in the first instance, for he said,—

"Many persons would give information more freely in this confidential manner than in any other."

Having selected what he pleased out of the ninety-three letters, he obtained twenty-nine, and the Poor-law commissioners stated in their return that out of the twenty-nine two had declined to have their letters made public, so that reduced the number to twenty-seven, which number had been further reduced to fourteen, which had been printed in an appendix to the medical report upon the Table. Now, he considered that under the previous order of the House the Poor-law commissioners were bound to make a return of all the letters. The Poor-law commissioners had, however, acted otherwise; they had disobeyed the order, and had entered a minute in their proceedings of the 25th May, 1842, stating,—

"That under the circumstances stated by Mr. Phelan" (Mr. Phelan's statement being that the letters were private, and ought not to be published without the consent of the writers), "the Poor-law commissioners did not think they were required to give up the letters where the writers desired they should not be made public."

But the twenty-seven letters were given up, to which the parties did not object. He begged to inquire, by what authority the Poor-law commissioners kept back the other letters? They said they could not give them up because they were private letters. But what right, he might here ask, had an assistant Poor-law commissioner to write on public matters, and inform the parties that his communication was private? Now he had received several letters from medical men who were anxious that their recommendations to the Poor-law commissioners should be made public. The fact was, that the letters which they had not made public contained opinions adverse to their own, and this was the reason why they had been suppressed. The noble Earl then named some medical gentlemen who had written to him on the subject, and read an extract from a letter of one, which showed that the writer was at variance with the Poor-law commissioners on the subject. The Poor-law commissioners had been endeavouring to deceive their Lordships, by not giving the opinions of persons adverse to their own views, as regarded the mode of administering public charities in Ireland. Was that the way to obtain the truth? If their Lordships agreed with him in thinking

that the House had been treated with disrespect, he trusted they would show that opinion by adopting some measure which should prevent a recurrence of such misconduct. He begged to assure the House that he was not influenced by any party feelings in the case, but he thought, as a Peer of that House, he should not be doing his duty were he not to bring this subject forward. In the first place he thought that Mr. Phelan was to blame; but the Poor-law commissioners having adopted his view, and having passed the minute to which reference had been made, they had made themselves responsible, and to them he should look for the production of the letters that had been kept back. The noble Earl then dictated to the Clerk at the Table the words of the motion for the production of the missing correspondence, which motion having been formally put from the Woolsack,

Lord *Wharnccliffe* said, the commissioners had been quite ready to communicate all the documents which they properly could. Mr. Phelan had deposited the twenty-seven letters which he had obtained the permission of the writers to make public; and the commissioners had thought, that unless the House of Lords should make further order, the remaining sixty-two ought not to be made public, as, whether Mr. Phelan was right or not in marking his letters private, his correspondents had a right to consider their answers private. The commissioners and the Government were, however, perfectly willing that all the letters should be produced, if their Lordships, under the circumstances, thought it right or necessary to call for them. He did not think, however, that the House of Lords would give an order to have the letters laid on the Table which were marked private. He should, therefore, oppose the motion of the noble Earl.

The Duke of *Richmond* entirely concurred in the sentiments expressed by his noble Friend who had just addressed the House, and thought that their Lordships would never give their countenance to the production of letters written under the impression that they were private and confidential. He must also express the deep regret with which he had heard so much strong language applied to the conduct of these public officers.

The Earl of *Glengall* said, that there was a great deal more in this matter than appeared at the first blush. These letters

were written for the purpose of getting up the medical report which was now on their Lordships' Table. He would not say much on the subject of that report, as he believed the whole subject would come before the House on Thursday or Friday next, as he knew that there were some forty or fifty petitions to be presented from the officers of the different dispensaries and hospitals, and from the gentry of Ireland, stating that this medical report was not to be relied on. He was not in the habit of using strong language, but he must say, that there was scarcely five lines of truth in the whole of that report. The commissioners directed Mr. Phelan to write a letter—not a private letter—but that gentleman chose to put "private" on it. In every instance he signed himself "Assistant Poor-law Commissioner," but he added the word "private," so that he might use those which he pleased. From a knowledge which he had of some of the persons to whom this letter had been sent, he had no doubt that many libels had been circulated against the officers of the different medical charities. By the late Government it was proposed to transfer the supervision of the medical charities to the different boards of Poor-law guardians, who were mostly elected by the priests and by agitators. The scheme of this report was to effect the same object, and therefore the word "private" was affixed.

Lord *Monteagle* deprecated those discussions in which the most unmeasured language of vituperation was indulged towards the commissioners of Poor-laws, the late Government, and every one that did not concur in the political opinions of certain Lords. Whilst he could not agree that the Poor-law guardians were the mere tools of the priests and agitators, he would concede this much, that a great deal of political agitation and religious fervour had entered into the elections of guardians. But surely the course pursued by the noble Lords opposite was calculated to keep up the irritation instead of (what all real friends of Ireland desired) allaying that irritation, and removing party feeling as much as possible from the consideration of the subject, from which of all others it ought to be excluded—that was, the treatment of the poor. He thought that discussions of this kind could end in no good. The Poor-law commissioners acted in perfect good faith, and so did Mr. Phelan. The motion of the noble Earl was to have all these letters laid before them. He

thought they could not act more improperly than by calling upon a person holding an official situation to betray a private trust; and what could be betraying a private trust more palpably than giving up private letters to be publicly examined? He thought such a course most injudicious, and he called upon their Lordships to oppose the motion of the noble Earl.

The Marquess of *Westmeath* said, the public were well aware that a board had been appointed to regulate the Irish medical charities, which scheme had not the sanction of the generality of the landed gentry of that country, inasmuch as many of those charities were from private sources. He would not vote for a forcible production of private papers, but he felt that such communications were resorted to for a purpose. By such private and shuffling means it was intended to mislead Parliament.

The Earl of *Wicklow* thought it inexpedient to obtrude arguments on a bill (the Medical Charities Bill) which was yet to be discussed by their Lordships. When it came before the House no doubt it would receive due consideration. The noble Earl deliberately accused the commissioners of violating an act of Parliament and of committing a breach of the privileges of their Lordships' House. He thought that the commissioners did not by any means deserve the severe and sweeping censure of the noble Earl, who had failed to prove his case. They could not have obeyed the Orders of the House in any other way. It was rather an unfortunate allusion made by the noble Earl to the inquiry of last year—a transaction which was always to be regretted when it was remembered. He thought that the secretary of that commission was too severely punished by dismissal from his office for a very venial fault. He said so to the Home Secretary at the time, and he now hoped that Mr. Stanley, the gentleman to whom he alluded, who had a large family, and who was otherwise a most worthy and deserving person, would be restored to the situation which he once occupied, and which he was given to understand was now vacant.

Lord *Colchester*: The question was whether the return was a true or a false one. He thought no public officer ought to be permitted to select what letters he pleased out of a mass of correspondence, and to suppress others, in a matter involving the public interest. Those which he suppressed in such a case, must be suspected as containing information and opin-



ions contrary to those which he entertained on the subject.

The Marquess of *Lansdowne* thought the letters must be produced if the House made an order to that effect. The commissioners were not to blame; he could not say as much for their Lordships' House, when he looked at the order which they had made in this case, and which was not marked by their characteristic prudence and consideration. That order called on all persons to whom letters had been written and marked private by D. Phelan, to deliver them up whether they wished to do so or not. It was impolitic as well as unjust to subject people in public departments to such an ordeal if in their zeal for the public service they wished to obtain by private means information which they could not obtain by public. Such a precedent would tie up the hands of public officers, and he hoped the House would not sanction it.

The Duke of *Wellington* wished that in all such cases involving the character of public officers like the present, noble Lords would give reasonable notice of their motions, that Government might have proper time to examine into the facts by communicating with the necessary parties. He hoped the House would not agree to the motion. It was his own opinion that the letters demanded ought not to be produced. He hoped the noble Lord, would, therefore, withdraw his motion, and let the case of the letters to which he alluded be a matter of future inquiry.

The Earl of *Glengall* was happy to confirm by his testimony the praise which had been bestowed on Mr. Stanley.

The Earl of *Mountcashell* did not consider the letter private, signed D. Phelan, Poor-law commissioner. As, however, it seemed to be the wish of their Lordships that he should not persevere with his motion, he should withdraw it.

The Duke of *Richmond* would not consent that the motion be withdrawn, and moved that the House reject it.

Motion put and negatived.

**JUSTICES AT SESSIONS.]** The Lord Chancellor said, inasmuch as the bill for altering the jurisdiction of justices at quarter sessions respecting the trial of offences would come into operation in the middle of the current sessions, and would thereby be likely to produce some inconvenience, he should submit a bill for remedying it, which he hoped to pass in the course of

the following day. For that purpose he gave notice that to-morrow he should move that the standing orders be suspended. The noble Lord moved the first reading of a bill to confirm certain proceedings of justices at sessions.

Bill read a first time.

Adjourned.

## HOUSE OF COMMONS,

Tuesday, June 28, 1842.

**MINUTES.]** **BILLS.** Public.—1°. Prisons.

*Committed.*—Stock in Trade; District Courts and Prisons *Committed and Reported.*—Bribery at Elections (No. 2.) *Reported.*—New South Wales.

2°. and passed:—Customs' Acts (The Tariff); British Possessions Abroad; Municipal Corporations (Ireland).

*Private.*—1°. Cambuslang and Muirkirk Roads (No. 3.) 3°. and passed:—Lebaselle's Naturalisation; Roumagn's Naturalisation; Duke of Argyll's Estate; Reading Cemetery.

**PETITIONS PRESENTED.** From Holywell, West Derby and Focklington Unions, against the Poor-law Amendment Bill.—By Mr. Round, from Dunsinon Union, for the Poor-law Amendment Bill.—By Mr. Shaw, from Fermagh, Templehanbo, and East Schull, for Alteration of the Present System of Education (Ireland).—From Henlough, against the Dissolution of Gilbert Unions.—From several Individuals, for the Substitution of Allognations for Oaths.—By Mr. Brotherton, from Liverpool, for the Discontinuance of the Wars in China and Afghanistan.—From Featherstone, Great Whitley, Huddersfield, Cawthorn, and Ramsley, against the Mines and Collieries Bill.—By Mr. Colville, from Watlock, for Inquiry into the System of Education pursued at Maynooth College.—From Taunton for the Selection of a Packet Station at some point on the Bristol Channel, for the Conveyance of Letters and Passengers to and from South Wales and the South of Ireland.—From Merseyside, for Abolition of the Title of Fish.—From Geocres in Ireland, to repeal the Act which prohibits Geocres from Selling Spirits.—From the Bakers of Belfast, for an Act to Regulate their Working Hours.—From the Coalminers of Garthaburg, and the Inhabitants of Holytown, for Alteration of the Mode of Weighing their Work.—From J. H. Scudamore, to abolish the Title Commutation Act.

**SOUTHAMPTON ELECTION.]** Mr. S. Wortley brought up a report from the Southampton Town Election Inquiry Committee. The report stated, that it having been deemed necessary that John Bennett Luca should give evidence before the said committee, he was yesterday, and again this morning, summoned for that purpose; but that he did not appear, in obedience to the summons. The committee, therefore, had been directed to report the facts to the House. He then moved—

"That John Bennett Luca be ordered to attend this House on Thursday next."

Motion agreed to.

**DISTRESS (IRELAND).]** Mr. D. Browne wished to know from the noble Lord, the Secretary for Ireland, whether Government were aware of the distress that prevailed at the present moment in various parts of

Ireland, and especially in the counties of Mayo and Galway? And if so, whether it were the intention of the Executive to take measures for the relief of that distress?

Lord *Eliot* said, Government had received information that very considerable distress prevailed in Galway, Mayo, and other western parts of Ireland. Government had, in consequence of those representations, entered into communication with the local authorities on the subject, and they had determined to adopt such measures as appeared to them to be the most expedient for removing the distress complained of. What those measures were, it would not, however, be prudent to disclose. The people had borne their sufferings with exemplary patience, and Government would neglect nothing that lay in their power to remove the distress. He had only to add, that those persons who were in a situation to afford aid had come forward in the most kind and generous manner with their assistance.

OUTRAGES (IRELAND).] Viscount *Bernard* wished to ask the noble Secretary for Ireland a question with respect to an outrage that was recently committed in Galway. It appeared that a party of Protestants were quietly enjoying themselves at a place on the sea-coast, when they were suddenly attacked by a number of people in boats, without any provocation, and were very much ill-treated. He begged to ask the noble Lord whether the stipendiary magistrate had made a report of the case? and, if so, whether that report proved that the attack was premeditated and unprovoked.

Lord *Eliot* answered, that the matter was inquired into by Mr. Gore Jones, the stipendiary magistrate, and by Messrs. Trevor and Thomas, two other magistrates. They had instituted an immediate inquiry into the subject, and the result of the investigation had been that the attack was most wanton and unprovoked. The people thus assailed were proceeding on a party of pleasure, they were not playing party tunes, nor were they acting in any way offensively; and the Government was perfectly at a loss to discover any motive for the cruel and unprovoked attack that was made on them. The magistrates were making the most strenuous efforts to secure the offenders; and, though they were not yet taken, he hoped that they would speedily be in custody. He

regretted extremely that party feeling, which he hoped was almost extinct, should have shown itself on this occasion.

HALF-FARTHINGS.] Mr. *Hume* said, he had seen a very extraordinary proclamation about the coinage and issue of half-farthings. He begged leave to ask of the right hon. Gentleman opposite, whether it were a hoax, or whether such a coinage was really about to be issued?

Mr. *Gladstone* said, the question of the hon. Member would have been more properly put to the Chancellor of the Exchequer, as the Master of the Mint had nothing to do with issuing those proclamations. The coin in question was not intended exclusively for this country, though it was thought that in many instances it would be found useful. Such a coin was constantly circulated in some of our colonies, and if it were found useless or inconvenient here, it could be sent out to those colonies.

ELECTION PROCEEDINGS COMMITTEE—MR. WALTER.] Mr. *Roebuck* moved the Order of the Day for calling Mr. Walter to the Bar of the House.

Mr. Walter called to the Bar.

The *Speaker* said: Mr. Walter, you will now hear read the report which the Select Committee on Election Proceedings yesterday made to this House.

Report read, (*See ante*, p. 635.)

The *Speaker* said: I have now to ask you whether you have any further statement to make respecting the matters set forth in the report of the Select Committee.

Mr. Walter addressed the House in these words:—

"I beg to assure you, Sir, that in refusing to attend this committee I was far from intending any disrespect to the House. Neither was I reluctant to lay before a committee nominated by the House the fullest explanation in my power of all transactions in which I was personally concerned connected with the late election for Nottingham. On the contrary, it would pain me excessively to be prevented by what I conceived to be a paramount duty from rendering the fullest obedience to the House, and declaring all I know.

"I hope it will be considered as an additional proof of my respect for the House if I abstain from consuming the time of the House by any lengthened defence of the course which I have taken, which course was dictated by the deepest and most conscientious sense of the obligation imposed upon every subject of the British Crown to stand upon his constitutional rights, and to demand that he shall be tried by none but an impartial tribunal, to

which personal prejudice and affection should be alike unknown.

"I received the summons of the committee at a quarter past three o'clock on Friday last, ordering my attendance forthwith, with an injunction that I should produce papers which I never even saw, especially the much talked-of compromise. The House must now be possessed of the grounds on which I hesitated to comply with such an order. I believe it would be very difficult to find in the records of a free nation any example, any precedent not already revoked with indignation by the public voice, for a proceeding by which a subject is to be arraigned before a court, the presiding Member of which has expressed himself in terms of so much personal hostility as the Member for Bath has used respecting me; and this, the House will be pleased to observe, not obscurely, not in a whisper, but loudly and openly in this very House—that is, in the superior court itself, from which the inferior court where he presides has emanated.

"I trust, therefore, that I may claim the indulgence and protection of the House, when placed, by no act of my own, in so embarrassing a position; and having, with all deference to the House, made these observations, which I hope, will be considered in the nature of a respectful protest, I shall submit myself to any order which you may be pleased to address to me."

Mr. Walter was ordered to withdraw.

Mr. *Roebuck* conceived he should best perform the duty which devolved on him ministerially, as Chairman of the committee appointed to inquire into Election Proceedings, by simply moving, "That John Walter, Esq. do attend and give evidence before the select committee on Election Proceedings to-morrow at eleven o'clock.

Sir *R. Inglis*: I still retain, Sir, the opinions which I have already frequently expressed upon the subject of this committee. If on a former occasion I was guilty of any irregularity in the manner in which I referred to the hon. and learned Member for Bath as the originator of the committee, now, at least, I am sure I may be permitted, without rendering myself liable to be accused of violating the rules of courtesy or of this House, to address myself to him, for now, at any rate, he is the individual who moves for the attendance of Mr. Walter. I will not, Sir, enter into the question how far the Gentleman who has lately appeared at your Bar may or may not have had a right to complain of the hon. and learned Member for Bath, and of the language which he imputed to that hon. and learned Member. Strictly speaking, perhaps, he may be said, by a

fiction which we are all content to profit by, to have been irregular in alluding to that which has passed in this House, and which has not been printed in the minutes of its journals; and I admit that, technically speaking, if any person should think fit to avail himself of the subterfuge, Mr. Walter has been irregular in the reference he made to the speech of the hon. and learned Member for Bath; but I am sure that no Member of this House is of opinion that Mr. Walter has violated its rules by having so referred to that speech. No hon. Member, at least, has thought right to rise in his place and denounce Mr. Walter as guilty of a breach of the privileges of the House for having referred to it; while the hon. and learned Member for Bath did not deny the use of the words attributed to him. That being the case, I own I cannot understand upon what principle it is that the one can sit as a judge, or the other be blamed for refusing to attend as a criminal. I think my right hon. Friend the Recorder of Dublin for correcting an error which his judicial mind has at once seized. He says that Mr. Walter is not a criminal, that he is only accused. But that distinction, though sufficiently clear to a legal mind, is not so clear in the construction at least of the great majority of this House—it is not so clear as to make it important whether I should use the one word or the other. Practically speaking, every individual called before that committee is, I understand by an acknowledgment which was made yesterday, called before an inquisition. I use the word deliberately, and not for the sake of making an accusation against the committee. The individual is called before an inquisition, where, without knowing who may have been heard before him, or who would be heard after him, he is to answer all questions that may be put to him, by or in the presence of a person who has himself proclaimed that he is not strictly impartial. The hon. and learned Member for Bath has not professed himself impartial, and yet the party accused is called upon to place himself in the room with nine Gentlemen, presided over by that hon. and learned Member, and there required to answer any such questions as the majority of the committee may think fit to put to him touching every matter connected with the last election, and possibly any other election, for the borough of Nottingham, and, without seeing any of his accusers, he is obliged to submit to

this inquisition. I understand that the committee have decided that whenever any allegation is made touching any particular individual, due notice should be given to such individual that such allegation has been made. I ask him would that be tolerated in any court of justice? Is there any place—I hope not in England—I would say almost out of England,—but is there any other place in England in which such a perversion—such a denial of law and justice would be for a moment tolerated? I do not look to one side of the House or the other in asking that question—I appeal to the House in general, and I ask them as English gentlemen, whether they will consent to the continuation of this system? It was my intention to have called the attention of the House to the subject, upon recently hearing that a Member of the House had been refused admittance to the committee-room as a party interested, though he was told that if he wished to claim admittance as a Member of the House his application would be granted. I had intended to raise the question how far this tribunal, giving them credit, if you please, for perfect impartiality and a sincere desire to seek for nothing but the truth—how far they did not owe it to themselves and their own character to conduct their proceedings on the same principles as those upon which every court in England, from the highest to the lowest, has from time immemorial, with one single exception, been constituted to carry on its proceedings? That single exception, Sir, was the Star Chamber. In another country the exception was the Inquisition. Let me not be told of the grand jury as a case in point. There the proceedings are not criminal; there the inquiry is merely preliminary, and you do not bring the accused party before you. That is the point of distinction between a grand jury and this tribunal which the House has so hastily—far too hastily, I must say—instituted. Before such a tribunal is it that the person accused is to appear and submit himself, if you please, to nine judges of the most impartial and unimpeachable characters; say, that they are absolutely unimpeachable—still, is it, I ask, fitting that an English subject on being accused should be called before such a tribunal as that? If it were a jury, he might challenge a jurymen. The hon. and learned Member for Bath would not, I am sure, contend that he could sit as a jurymen; and if he could not sit as a jurymen, ought

he, let me ask, to sit as a judge? But the hon. and learned Member for Bath is not the only person with whom the House has to deal. Mr. Walter has appeared at the Bar, made his protest, and expressed his willingness to submit to the Order of the House. With that Order of the House, I, for one, as Mr. Walter has thought it right to make that submission, shall not consider it my duty to interfere. Who have been Mr. Walter's advisers, or whether he has had any advisers, I know not; but of this I am sure, that if I had been his adviser, I would not have counselled him to take the course which he has taken. I certainly would not have dictated the letter which he has addressed to the committee. I think, that, first, by having written that letter, and that, secondly, by having stated his willingness to submit to the Order of the House, he has relinquished that high ground upon which he might have stood. At all events, I felt myself justified in calling the attention of the House to my own view of the case, because I stated on a former occasion that such a case might occur; and as this is, perhaps, not the only instance in which it may occur, I would ask the House to consider what will be its course in the event of another individual refusing to appear before the committee, and how far it is prepared to apply the process of the screw to such an individual? With the willing witness who has been at the Bar the House may deal as it seems fit; but suppose another individual to say, "I claim the protection, not of the laws of my country, but of the principle of the laws of my country: I claim to be tried before a jury to no one of whom I can fairly object: I claim to be tried before a tribunal the leading member of which has not pronounced an opinion personally unfavourable to me"—what, in that case, is the House prepared to do? I ask the House that question as much for the sake of the hon. and learned Member for Bath as for the sake of any such individual; because I can conceive no situation more painful than that of a judge sitting as the hon. and learned Member has done—a situation which the right hon. and learned Gentleman the Member for Cork once described, in reference to his being placed upon the bench, as a situation in which he feared that his desire to administer justice in a just and impartial spirit towards those who were regarded as his opponents might be the very cause of leading him into acts of injustice and partiality the other way. For the sake, then, of the

hon. and learned Member for Bath, I deprecate his continuing chairman of a committee where he has almost prejudged the case, and where he has pronounced such an opinion against the leading person implicated as would, in any other tribunal but a committee of the House of Commons, cause a man to shrink from acting as a judge. It is not my intention to interpose between the motion of the hon. and learned Member for Bath, that Mr. Walter do attend the committee at eleven o'clock to-morrow, and the pleasure of the House. If the House is pleased to concur in such a motion, I shall not divide the House against it, Mr. Walter having expressed at your own Bar his willingness to attend.

Colonel *Sibthorp* cordially concurred in all that had fallen from the hon. Baronet; but regretted the hon. Baronet had not concluded with an amendment to the effect that Mr. Walter should not be required to attend the committee. He knew not, and he hoped in saying so that he was not out of order, whether to admire more the constitutional views and the able speech of the hon. Baronet, or the manly, straightforward, and respectful conduct of the hon. gentleman who had lately appeared at the Bar of the House. He repeated, that he could not but admire the firm and candid, yet perfectly respectful manner, in which Mr. Walter had expressed his readiness to obey the Orders of the House on the one hand, and on the other his manly bearing and chivalrous demonstration in resisting the order of the committee. Yes, he gloried in the conduct of that hon. Gentleman, and if it were the pleasure of the House to visit him with those pains and penalties which it was in the power of the House to inflict, he hoped he should be one of the first men to pay his respects to that hon. Gentleman in whatever situation he might be placed. He should be delighted to see this body of arbitrary gentlemen defeated; for so unconstitutional and disgraceful a proceeding had never emanated from a British House of Commons. He would not trespass further on the time of the House. He had thus openly expressed his opinion, and he would conclude by observing, that he should not be at all sorry to be placed in a similar situation to that of the hon. Gentleman who had been so recently at the Bar.

Sir *G. Grey* said, that although he did not object to the motion, he thought the House ought not to be satisfied with its adoption alone. He thought, that the

authority of the House was called in question by the conduct of the Gentleman who had lately appeared at the Bar. The House had appointed a committee, and expressly delegated to it the power of sending for persons, papers, and records. He could make every allowance for the feelings of a gentleman who had been attacked in that House, where he was not able to defend himself, and he therefore did not wish to propose anything like a harsh proceeding towards that Gentleman; but it was impossible to read that Gentleman's letter, or to have heard the speech which he had recently addressed to the House, without feeling that he drew a distinction, which it would be most dangerous to sanction, between the direct authority of the House, and the authority delegated by the House to a committee of the House to send for papers, persons, and records. If he understood that speech rightly, what the Gentleman who delivered it meant to say, amounted to this:—"I will not submit to this committee, because I conceive it to be a partial committee; but if the House chooses to appoint another committee, I will submit to it; to the authority of the superior tribunal I bow, but to that of the inferior tribunal I demur." He thought, that the House should not sanction any such distinction as that; and he hoped, it was prepared to support the authority of the committee. He rather threw out for the consideration of the House, than with the view of making any distinct proposition on the subject, whether the present motion should not be followed up by an admonition from the Speaker to Mr. Walter? He was decidedly of opinion, that the House ought to express itself upon this occasion, and that the Gentleman who had appeared at the Bar of the House ought to be informed, that it was the bounden duty of every person receiving a summons from the committee of the House, to which the House had delegated the power of sending for papers, persons, and records, to obey that summons, as much as if it were a direct order of the House.

Sir *R. Peel* said, I am quite prepared to support the authority of the tribunal that has been constituted by this House for the purpose of conducting an important inquiry. The responsibility of appointing that committee rests not with the committee but with the House, and this House is bound to support that tribunal in the exercise of its proper authority.

Without such support, the powers of the committee must necessarily prove insufficient and fail. But, considering the language of the Gentlemen who has appeared at the Bar, considering that he has said, that he felt it to be a paramount obligation upon him to give such testimony as it was in his power to give for the purpose of elucidating the truth of the matter under investigation, and considering also, that he has expressed his readiness to submit to the order of the House, I do think, upon the whole, that the best course, and the most dignified course for the House to pursue, would be to signify to Mr. Walter, through your chairman, that it is his bounden duty to attend the committee and give evidence. I think, the best course to pursue would be, that which was adopted in the case of Mr. Fleming, which was this:—

“It having been reported to the House that Mr. Fleming had refused to answer a question which he deemed inconsistent with his character as a man of honour before the Southampton Election Committee, it was ordered by the House, that John Fleming, Esq., do attend in his place forthwith, and be informed by Mr. Speaker, that the legal tribunal to decide upon his obligation to answer questions, is the select committee appointed under the act of Parliament to try the matter of the petition; and that Mr. Speaker do also inform him, that any objection he has to urge must be submitted to the committee, and determined by them.”

Mr. Fleming attended accordingly, and the Speaker communicated to him the said order. Upon the whole, I think, that is the best course for the House to take. I do not at all agree that the case is one which calls for a reprimand. My opinion is, that the Speaker, as in the case of Mr. Fleming, ought to notify to Mr. Walter that it is his duty to attend the committee and give evidence.

Sir G. Grey: That was not a precedent in point, as Mr. Fleming made no allegation that the tribunal was an improper one.

Sir R. Inglis said, that the motion now was, that Mr. Walter do attend the committee, and give evidence to-morrow at eleven o'clock.

The Speaker put the question, which was received by a loud cry of “No,” from several hon. Members.

Viscount Howick understood, that the right hon. Baronet was going to move, that the same course be adopted as in the case of Mr. Fleming.

Sir R. Peel: What I meant to state was, that the course pursued by the hon. and learned Member for Bath is in conformity with that which was adopted in Mr. Fleming's case. There Mr. Fleming appeared before the committee, and stated his reason for refusing to give evidence; and upon that being reported to the House he was ordered to attend and give evidence, with which order he complied. It would be impossible to adopt precisely the same words. Here Mr. Walter has expressed his readiness to attend before the committee and give evidence, and I still think it only remains for the House to inform him that it is his duty to do so.

Viscount Howick: But the vote we are about to come to is not to desire the Speaker to inform Mr. Walter that it is his duty to obey the summons of the committee. According to the words of the motion the House is about to adopt a new order, which order is that Mr. Walter shall attend to the direction of the committee. This is the distinction drawn by my right hon. Friend, and it is a distinction of very considerable importance. If we recognise the principle that the authority of the committee is not sufficient, we necessarily, and to a great extent, weaken its proceedings. I think, therefore, that the motion as it now stands should be amended, and that the House should direct that the Speaker inform Mr. Walter that it is his bounden duty to obey the summons of the committee. The motion as now put is not in accordance with the precedent quoted by the right hon. Baronet.

Sir R. Peel: I conceived that the right hon. Gentleman (Sir G. Grey) had proposed something in the way of a censure on Mr. Walter, which I regarded as uncalled for. Mr. Walter said that he felt himself under an obligation to facilitate the inquiry, and that he was ready to submit to the House. All I thought necessary in that case was that the Speaker should notify to him that it was the pleasure of the House that he should facilitate the inquiry by attending the committee and giving evidence.

Sir R. Inglis: I wish, Sir, you would state whether the question has not been already put by you. I believe it has.

The Speaker: If the noble Lord the Member for Sunderland rose before the voice was given in the negative, of course he had a right to speak upon the question. If not, he has no right to speak. My hon.

pression is that the noble Lord rose after the question had received a negative.

Lord *J. Russell*: I only wish to know whether the Ayes or the Noes have it.

The *Speaker*: The Noes have it.

The House divided:—Ayes 223; Noes 77: Majority 146.

*List of the AYES.*

Acheson, Visct.	Ellis, W.
A'Court, Capt.	Eliot, Lord
Ainsworth, P.	Elphinstone, H.
Bailey, J.	Estcourt, T. G. B.
Bannerman, A.	Etwall, R.
Baring, hon. W. B.	Evans, W.
Baring, rt. hon. F. T.	Ferguson, Col.
Barnard, E. G.	Ferguson, Sir R. A.
Barrington, Visct.	Fitzroy, Lord C.
Barron, Sir H. W.	Flower, Sir J.
Beckett, W.	Follett, Sir W. W.
Bell, J.	Ffolliott, J. J.
Bellew, R. M.	Forster, M.
Benett, J.	Fremantle, Sir T.
Bentinck, Lord G.	Gibson, T. M.
Berkeley, hon. C.	Gill, T.
Berkeley, hon. H. F.	Gladstone, rt. hn. W. E.
Bernard, Visct.	Gordon, hon. Capt.
Blackburne, J. I.	Gordon, Lord F.
Blake, M. J.	Gore, hon. R.
Bodkin, W. H.	Goulburn, rt. hn. H.
Bowes, J.	Graham, rt. hn. Sir J.
Bramston, T. W.	Greenall, P.
Broadley, H.	Greene, T.
Brotherton, J.	Gregory, W. H.
Browne, hon. W.	Grey, rt. hon. Sir G.
Bryan, G.	Guest, Sir J.
Bulkeley, Sir R. B. W.	Hale, R. B.
Buller, E.	Hamilton, W. J.
Busfeild, W.	Hanmer, Sir J.
Butler, hon. Col.	Harcourt, G. G.
Byng, rt. hon. G. S.	Hardinge, rt. hn. Sir H.
Campbell, A.	Harris, J. Q.
Cavendish, hn. G. H.	Hastie, A.
Chapman, B.	Hawes, B.
Childers, J. W.	Heathcoat, J.
Clayton, R. R.	Hill, Lord M.
Clive, E. B.	Hodgson, R.
Cobden, R.	Houldsworth, T.
Colebrooke, Sir T. E.	Holland, R.
Collins, W.	Howard, hn. C. W. G.
Connolly, Col.	Howard, hon. J. K.
Cowper, hon. W. F.	Howard, Lord
Craig, W. G.	Howard, hon. H.
Cripps, W.	Hughes, W. B.
Dalrymple, Capt.	Hume, J.
Damer, hon. Col.	Humphery, Ald.
Denison, E. B.	Hutt, W.
Dennistoun, J.	James, W.
Dickinson, F. H.	Jervis, J.
Douglas, Sir H.	Johnstone, Sir J.
Duncan, Visct.	Johnstone, H.
Duncan, O.	Labouchere, rt. hn. H.
Duncombe, T.	Lambton, H.
Dundas, D.	Langston, W. G.
East, J. B.	Lascelles, hon. W. S.
<i>Egerton, Sir P.</i>	Lawson, A.

Layard, Capt.	Rundle, J.
Legh, G. C.	Rushbrooke, Col.
Leunox, Lord A.	Russell, Lord J.
Lincoln, Earl of	Russell, Lord E.
Lindsay, H. H.	Sanderson, R.
Litton, E.	Scarlett, hon. R. C.
Loch, J.	Seale, Sir J. H.
Lowther, J. H.	Seymour, Lord
Lyall, G.	Shaw, right hon. F.
Lygon, hon. Gen.	Sheil, rt. hn. R. L.
Macaulay, rt. hn. T. B.	Smith, A.
Mackinnon, W. A.	Smith, B.
M'Taggart, Sir J.	Smith, rt. hn. R. V.
Mangles, R. D.	Somerville, Sir W. M.
Manners, Lord C. S.	Stanley, Lord
Marshall, W.	Stansfield, W. R. C.
Marstrand, H.	Staunton, Sir G. T.
Martin, C. W.	Stewart, P. M.
Martin, T. B.	Stock, Serj.
Masterman, J.	Strutt, E.
Miles, P. W. S.	Sutton, hon. H. M.
Morris, D.	Tancred, H. W.
Morison, Gen.	Taylor, T. E.
Morrison, J.	Taylor, J. A.
Mundy, E. M.	Thesiger, F.
Murphy, F. S.	Thornely, T.
Murray, C. R. S.	Thornhill, G.
Napier, Sir C.	Towneley, J.
Norreys, Sir D. J.	Trevor, hon. G. R.
O'Connell, Dan.	Troubridge, Sir E. T.
O'Connell, M.	Tufnell, H.
O'Connell, M. J.	Turner, E.
O'Connell, J.	Vane, Lord H.
Ogle, S. C. H.	Vere, Sir C. B.
Paget, Col.	Vernon, G. H.
Palmer, R.	Vesey, hon. T.
Palmerston, Visct.	Villiers, hon. C.
Parker, J.	Vivian, hon. Capt.
Patten, J. W.	Waddington, H. S.
Pechell, Capt.	Walker, R.
Peel, rt. hon. Sir R.	Wall, C. B.
Peel, J.	Wallace, R.
Pendarves, E. W. W.	Wawn, J. T.
Philips, G. R.	White, H.
Pigot, Sir R.	Whitmore, T. C.
Planta, rt. hon. J.	Wood, B.
Plumridge, Capt.	Wood, Col.
Plumptre, J. P.	Wood, Col. T.
Powell, Col.	Worsley, Lord
Protheroe, E.	Wrightson, W. B.
Pusey, P.	Yorke, hon. E. T.
Ramsbottom, J.	Yorke, H. R.
Rashleigh, W.	Young, J.
Redington, T. N.	
Ricardo, J. L.	
Richards, R.	
Rose, rt. hon. Sir G.	

TELLERS.

Roebuck, J. A.  
Wood, C.

*List of the NOES.*

Allix, J. P.	Baird, W.
Arbuthnott, hon. H.	Bateson, R.
Archdall, Capt.	Blackstone, W. S.
Arkwright, G.	Bradshaw, J.
Ashley, Lord	Broadwood, H.
Attwood, M.	Buller, Sir J. Y.
Baillie, Col.	Bunbury, T.
Baillie, H. J.	Burdett, Sir F.

Burrell, Sir C. M.	Howick, V.
Carnegie, hon. Capt.	Hussey, T.
Cartwright, W. R.	Irving, J.
Christopher, R. A.	Jackson, J.
Chute, W. L. W.	Jones, Capt.
Cochrane, A.	Kemble, H.
Colville, C. R.	Knightly, Sir C.
Dick, Q.	Lefroy, A.
Disraeli, B.	Lockhart, W.
Dodd, G.	Mackenzie, T.
Douglas, J. D. S.	Maclean, D.
Ellice, E.	M'Geachy, F. A.
Escott, B.	Manners, Lord J.
Farnham, E. B.	Marton, G.
Feilden, W.	Maunsell, T. P.
Fielden, J.	Neeld, J.
Ferrand, W. B.	Neville, R.
Filmer, Sir E.	O'Brien, A. S.
Fitzroy, hon. H.	Polhill, F.
Fleming, J. W.	Pollington, Visct.
Forbes, W.	Praed, W. T.
Fuller, A. E.	Round, C. G.
Godson, R.	Stewart, J.
Gore, M.	Sturt, H. C.
Gore, W. O.	Trollope, Sir T.
Grant, Sir A. C.	Tyrell, Sir J. F.
Grimsditch, T.	Verner, Col.
Halford, H.	Vyvyan, Sir R. R.
Hampden, R.	Wakley, T.
Henley, J. W.	TELLERS.
Hodgson, F.	Inglis, Sir R. H.
Hornby, J.	Sibthorp, Col.

On the question that John Walter esq. be called to the Bar, and that the resolution be communicated to him by Mr. Speaker,

Sir G. Grey said, that although he was desirous not to put the House to the trouble of again coming to a division, yet he thought it very desirable that they should adopt a resolution in the terms he had before mentioned, because he considered that it ought to be clearly understood that every individual who received a summons from a committee of that House, duly signed and authenticated by its chairman, was bound to make no exception to obeying the mandate it conveyed on such grounds as those of a supposed partiality among its Members. He hoped and believed that the House generally assented to this doctrine, and that it was a common understanding that such summonses ought to be attended to. It was the more important that the sentiments of the House should clearly be made known on the point, because this was not a solitary case. They had, in the course of that evening, already received a report from the Southampton committee to the effect that a witness had neglected to attend before it in obedience to the summons of the chairman. That individual had been

ordered to appear at their Bar. He might be brought up to-morrow, and might plead a similar excuse, and so they might be constantly involved in discussions as to the partiality or impartiality of particular Members—discussions which he thought would tend little to enhance the dignity of that assembly. He thought that when Mr. Walter was called to the Bar, he should be informed that it was his duty to attend before a committee of that House when summoned.

Lord J. Russell should not have risen before the division, had he understood that the negative voice of the House had been expressed. He now only wished to say that he entirely agreed in the course proposed to be pursued by his right hon. Friend. He thought he was quite right in saying that the committee possessed sufficient authority to summon witnesses before them, and also that witnesses so summoned ought to attend to the summons. The course proposed was the course they had pursued in Mr. Fleming's case, and he supposed that it was not desired to treat Mr. Walter in any other manner than they treated a Member of their own House. The resolution they had just carried should therefore, he conceived, be communicated to Mr. Walter; but at the same time he did not wish it to be thereby inferred that the House did not give such powers to its committees as enabled them to issue summonses which should be binding upon persons to attend, without their receiving any intimation from the House itself that compliance with that summons was essential.

Sir R. Peel said, that as far as his own experience went, he must say that the committees appointed by that House had the power of summoning witnesses, not in consequence of any inherent right in the committees themselves, but by a devolution of the power of that House in the resolution authorizing and empowering the committee to send for persons, papers, and records. They had already resolved "that Mr. Walter do attend the committee and give evidence at eleven o'clock to-morrow." That was the resolution they had come to, and it certainly appeared to him that the ends of justice would be answered, and no danger of establishing a bad precedent would be incurred, in calling Mr. Walter to the Bar, and authorizing the Speaker to notify to him the resolution of the House. He said this, however, with the distinct declaration of his opinion that the com-



mittee did not require the authority of that House to summon witnesses in each case, but that they already possessed that authority distinctly and specifically delegated to them by the House's resolution, empowering them to send for persons, papers, and records.

Viscount *Howick* did not at all object to the view taken by his right hon. Friend the Member for Devonport, and if he had just now voted in the minority, it was simply on the ground that the means taken to arrive at the end were irregular and unsatisfactory. He had considered before the division, and he still thought, that the resolution ought to have been passed in the form suggested by his right hon. Friend. It was with that view that, finding it was too late to amend the resolution, he had voted against it, with a view to throw it out, and substitute another more regular in its shape. As, however, the House had decided in favour of that motion, he thought they could not now do better than support the motion just submitted to them.

Mr. *O'Connell* said, nobody understood the motion to convey any censure on Mr. *Walter*. It only carried out the view that it was better at once to check what might be made a very bad precedent, that of witnesses summoned before a committee stopping to canvass its composition. Nobody would say that any witness had a right to do that. But there were other steps which might be taken in such cases. If, for instance, a witness objected to the appointment of a certain person to serve on a committee before which he was summoned to appear, he might come before the House and say that the person in question was not neutral enough, and so submit himself and his case to the House's pleasure. But without making out such a case, no witness had any right to quarrel with the orders of the House; and he submitted that nothing could be more irregular than the commencement of such quarrels, solely with a view to that sort of, what he would call, bye-battle, of which they had already had a specimen.

Lord *J. Manners* could not but think that Mr. *Walter* had entirely submitted himself to the House in the manner the hon. and learned Gentleman seemed to consider necessary. He had appeared at their bar in conformity to their order, and had stated very calmly and respectfully his objections to be examined before a committee presided over by the Member for

Bath. Those objections also stood on record; they appeared on the paper of the House; and nobody up to that time had denied that they were true.

Mr. *Wakley* contended that the proposition of the right hon. Baronet conveyed a censure on Mr. *Walter*, for the right hon. Baronet laid it down as a principle, that a witness was obliged to submit himself, in the most passive way imaginable, to the mandate of the committee, and that, no matter whether he was summoned as a witness merely, or was made to appear before the world as a criminal engaged in the transactions objected to, he was at once passively to submit to whatever that committee might exact. He at once and decidedly protested against any such doctrine. He said that it exhibited the very essence of tyrannical despotism, and that if it were acted on a practice would grow out of it which must be attended with danger to every individual in that House. He entirely agreed with what the hon. Member for Oxford University had said upon this subject, and it seemed to him that the House had been startled into one of the most ridiculous and unconstitutional proceedings that were ever taken by that assembly. He should never forget when the hon. Member for Bath got up and put his string of interrogations to so many Members, who all so ridiculously appeared in their places and gave answers to questions referring to perfectly private transactions. He said these transactions were perfectly private. They were transactions of which the law did not take cognizance. The law had not hitherto held parties to be criminal who had engaged in such transactions, and yet there they were requiring Members to get up in their places and in the face of the House to create convictions for themselves. In his opinion the sooner they got out of the scrape the better. The sooner they extricated themselves from the dilemma the better for that House and for the country, because, as he had heard, an impression existed out of doors that there had been unfair dealing, that the inquiry was not conducted with impartiality, and that equal justice was not dealt out to all. It was his belief too that the hon. Member for Bath, with all his acuteness, would not be able to tell them anything new. He believed he would not tell them a word which was not already well known to the country, and which had not been known for years. The only possible effect that could result would be to fasten a general

practice upon a few individual Members. Such a proceeding might gratify a few gentlemen, but he for one did not participate in their feelings. He thought the whole proceeding unfair, and he entered his protest against it from beginning to end.

Mr. *Escott* objected to the proceedings which had taken place against the gentleman who had appeared at the Bar. It was alleged that the hon. Member for Bath had for some time passed assumed a hostile attitude towards Mr. Walter, and this allegation the hon. Member for Bath had not denied. Therefore it was that Mr. Walter had declined to attend, and not from any disposition to question the authority of the tribunal. Furthermore, the hon. Member for Bath had last night made a statement to the House, the substance of which was, that the Committee on Election Proceedings had come to the resolution of adopting the extraordinary system of excluding all those against whom any accusation existed from hearing the evidence given before the committee. This was a proceeding calculated to defeat the substantial ends of justice, and he had voted against the order for Mr. Walter's attendance being made, as he was of opinion that the proceedings of the committee, as conducted by the hon. and learned Member for Bath, were not likely to conduce to the ends of justice. When he said this, however, he did not mean to dispute the power of the committee, but every lover of truth and justice must be opposed to the course of proceeding adopted in the case.

Lord *Stanley* said, it should be remembered, that the persons examined before the select committee were called upon, not as accused parties, but merely for the purpose of giving evidence, so as to assist in an important inquiry. The object of the committee was not to inculcate any person, but to elicit certain facts relative to the subject into which they were appointed to inquire; and if Mr. Walter had any well-founded objection to appearing before that committee, the objection should have been made to the House. That would have been the proper mode to make the objection. If the question had been raised when the committee was appointed, and if it had been stated that there were reasons to suppose that any person named on the committee entertained hostile dispositions against any of the persons likely to be called before it, and that therefore a fair trial could not be expected, that might

furnish a good ground why the House should take the subject into consideration. No objection, however, was taken to the formation of the committee at the time that the power was delegated to it. The House appointed a committee to inquire into the alleged corrupt compromises. That was the avowed object for which the committee was appointed, and not for any purposes of a criminatory nature. Mr. Walter was summoned to give evidence before that committee, not as one criminally charged, but as a witness, and in that character he had no right to object to appear on the ground of personal feeling on the part of any of those by whom the committee was constituted. This appeared to him to be the proper view to take of the matter, and the result of his experience was, that when the House delegated to a committee the power to examine persons, papers, and records, the parties were bound to attend and produce the documents. If there were any reasons why it would be inexpedient to intrust the committee with such power, the time to take the objection was that at which the power was proposed to be delegated.

Sir *R. H. Inglis* did not see the question quite in the light of the noble Lord. There were some facts omitted which it would be necessary to be kept in view. The hon. Member for Bath moved for a committee of inquiry, which was, amongst other things, to take into consideration certain alleged corrupt compromises. Amongst other cases to be inquired into was that of Nottingham, for which Mr. Walter had been a candidate. Two gentlemen had been declared the sitting Members for that borough by a committee of the House. The alleged compromise, it was said, led to the retirement of one of those members for the purpose of allowing another candidate to come forward, and rumour had it that Mr. Walter would be seated in that gentleman's place. If there was any charge, then, Mr. Walter was the person accused of the compromise, together with the gentleman who was said to have vacated in his favour. Not only, then, was Mr. Walter personally interested but he was accused of a crime, and of a crime now made so for the first time. The hon. Member for Finsbury had truly observed, that cases of as gross a nature as the present had frequently taken place before without exciting the indignant virtue of the House; and whether Mr. Walter was right or wrong in the course which he

had pursued, it was clear that he was a party interested in the issue, and might very fairly protest against the tribunal before which, under such circumstances, he was called upon to appear. The noble Lord said, that the objection should have been taken when the committee was about to be instituted, and when the power was proposed to be delegated to them; but how could Mr. Walter know beforehand the course which the committee would adopt, or how could he interfere to prevent it?

Mr. Ferrand rose merely to ask one question. The noble Lord said Mr. Walter was called upon to attend the committee, not as a criminal, but as a witness. If, however, Mr. Walter should find that in the course of inquiry he was likely to criminate himself, would he be allowed to retire from the examination? If not, the investigation could not be considered in any other light than that of a criminal inquiry.

Captain Polhill wished to say a few words on the subject before the House. The motion was, that Mr. Walter be summoned to the Bar, and commanded to attend before the committee and give his evidence. As far as he understood Mr. Walter's objections to appearing, the chief one related to the chairman of the committee, in consequence of some private quarrel or misunderstanding. That he apprehended was the main objection. According to the suggestion of the hon. and learned Member for Cork, it was competent to Mr. Walter to petition the House on this ground; and it would be but fair to give him time to do so. He would therefore move, as a substantive resolution, that Mr. Walter be ordered to attend the committee on Thursday, so as to allow the intervening day for the presentation of a petition.

The *Speaker*: The House having already decided that Mr. Walter should attend to-morrow, it would be irregular to re-open that question.

Motion agreed to.

Mr. Walter summoned to the Bar.

The *Speaker*: I have to inform you that the House has come to the following resolution:—That you be directed to attend and give evidence before the select committee on Election Proceedings at eleven o'clock to-morrow.

Mr. Walter withdrew.

MR. COCHRANE.] Mr. Roebuck brought up a report from the select committee on Election Proceedings, stating that having

found it necessary to examine Alexander Baillie Cochrane, Esq., the chairman was directed to write to that Gentleman to desire his attendance on Wednesday, the 29th, and to produce all papers and records relating to the Bridport election. An answer dated the 27th of June, had been received that day from Mr. Cochrane, acknowledging the receipt of the letter from the chairman of the committee, requiring his attendance, with all papers and records relating to Bridport. The letter concluded by declining to comply with the requisition.

Mr. Roebuck gave notice that he would to-morrow move that Mr. Cochrane be ordered to attend on Thursday at eleven o'clock.

CUSTOMS' ACTS—THE TARIFF.] The Customs Bill was then read a third time.

Mr. Jervis rose to move an additional clause, of which he had given notice on a former day. He now saw how inconvenient it was to engraft a new substantive clause into a bill at that stage; but the matter to which his proposition had reference was a very important one. The object of his motion was to prevent any additional tax on the coals consumed by British steam-ships, and thereby deteriorating the interests of this class of vessels. While foreign countries were getting up companies for the encouragement of steam-shiping, we should carefully avoid doing anything which would inflict injury upon our own vessels of that class. His proposition contained a proviso permitting the commissioners of her Majesty's Treasury to allow a drawback upon the duty paid upon coals by all our commercial steam-vessels. This was the more necessary, as it was to be remarked that many of these persons had contracted for public works previous to the duty being imposed, and it would be unfair and unjust, if no drawback were allowed, to demand the fulfilment of such contracts. There were now 1,020 steam-vessels in this country, and the number had increased rapidly under the present law. It was for the public interest to induce parties to undertake the longer voyages, because the vessels engaged in them would be most effective in time of war. The effect of imposing a duty on coals exported would be to oblige all steam companies trading to foreign countries to pay an increased price at the foreign stations, or to carry coals with them for the voyage home as well as the voyage out, and to take up a much greater

portion of their space in unprofitable stowage. Distant voyages did not yield so large returns as to encourage private companies to continue their undertakings in the face of additional taxation and prohibition. The Great Western Company had paid only one dividend, and the British and American Company had been unsuccessful. The hon. Gentleman read the memorial of the chairman and committee of the Steam-ship Owners' Association, representing 80,000 tons of British steam shipping. It stated, that the proposed tax would be extremely injurious to the interests of British steam navigation. The amount of revenue likely to accrue from coals consumed by British steamers was very trifling, while the increased charge would be most heavily felt by the proprietors. It would be 25 per cent. on the first cost of the coal, and 10 per cent. on the average cost at foreign ports. The memorialists, therefore, prayed, that the House would grant to proprietors of British steamers an exemption from the tax, which might be accomplished without subjecting the Treasury to fraud. It would be, the hon. Member continued, highly impolitic to lay increased burdens on our steam shipping at a moment when foreign countries were subsidizing companies for the purpose of creating a steam navy which would compete with our vessels. The mode of proving that the coals were destined for the consumption of British steamers, it was proposed to leave to the discretion of the Commissioners of the Treasury. He begged the House to recollect the advantage that would be given to sailing vessels by the alterations of duties in the tariff, and which would render it very unjust to visit steamers with additional taxation. The hon. Member concluded by moving a clause to the effect, that it was expedient that a drawback should be allowed on coals exported for the use of British steam-vessels, on proof to the satisfaction of the Treasury that the coal was exported only to be consumed on board such steam-vessels, the mode of proving being determined by the Treasury.

Mr. Wallace seconded the motion. He could not allow himself to think, that the right hon. Gentleman did not mean to concede so reasonable a proposition. If there was any intention on the part of the right hon. Gentleman to give way, it would be better for him to do so at once, and save the time of the House. It was the duty of the Government to give encouragement

to steam navigation, which was not so profitable as it used to be. He, therefore, had great pleasure in giving his support to this motion.

Clause brought up and read a first time. On the question, that it be read a second time,

The *Chancellor of the Exchequer* said, that as the hon. and learned Gentleman had read the letter which the Government had addressed to the gentlemen interested in steam navigation, and as that letter generally stated the grounds which had induced the Government not to accede to the representations made to them, it would not be necessary for him to go at any length into the subject. The hon. Gentleman was quite right in saying that the Government was disposed to afford every possible facility to the extension of steam navigation. With respect to this particular measure, when it was proposed to impose a duty of 4s. a ton on coals, he had interviews with several persons connected with steam navigation, and was desirous to relieve them from the pressure of this duty. He stated at the time that he saw great difficulties in the way of effecting the object in view, without leading the way to great fraud and loss of revenue. He stated to them at the time, that he would make inquiries of experienced officers of the Customs, with a view of ascertaining whether there were any means by which this indulgence could be granted them. In consequence of these communications, he had had an interview with experienced officers of the Customs, and suggested to them various modes by which it appeared to him that the object could be effected. But these gentlemen—officers of great experience—satisfied him not only that the proposed exemption would lead to great fraud, but that the means which he had suggested for preventing those frauds would be totally inoperative. This circumstance induced the Government to reduce the proposed duty on coals to one-half the amount that had been originally proposed. In all these questions of revenue they were not only to consider the inconvenience that might be caused, but they were also to consider the opening that might be given to fraud by the attempt to get rid of those inconveniences. If there was any system more than another calculated to open the door to fraud it was a system of drawbacks, carried on—not under their own eyes, and in their own ports—but carried on in the ports of foreign countries, &c.

a great distance from our own, and where we had no adequate protection against fraud. The proprietors of steam-vessels, in their letter to the Government, stated that the whole amount of drawback would not exceed 5,000*l.* That was their estimate of the total amount at the time the duty proposed was 4*s.* per ton. Now, when they came to calculate the extent of the pressure when the duty was reduced to 2*s.* a ton, they found that the whole amount would be only 2,500*l.*, and this would be divided amongst a number of steam companies trading to eighteen different countries. It must be recollected, that all coals which were placed in depots in any of the British possessions, would be (as we understood) duty free; and the inconvenience of this duty would only be felt with respect to coals that were deposited in foreign countries. Now, he was told, that by an alteration in the places of deposit, the quantity of coals kept in foreign countries might be considerably reduced. The hon. Gentleman had said, that there ought to be a drawback on coals shipped in foreign ports as well as if it was shipped in the Thames or at Ramsgate. But he (the Chancellor of the Exchequer) thought the case was quite different. Here they had their own officers, and if the officer was an honest man, no fraud could be committed. But let him take the case of a cargo of coals shipped at Bahia or any foreign port, who had they there to take an account of the amount taken on board? It was the opinion of Mr. Deacon Hume, who was a great authority on those matters, and was himself an experienced officer of customs, that nothing led to so great frauds as depending on consular certificates from foreign ports as to acts which had been performed at those ports. The consuls might not have the power to secure proper information as to the facts, and if the Government were to be paying away money upon consular certificates, it was quite plain that it would lead to a great loss of revenue. Seeing, therefore, that a loss of 2,500*l.* only would be incurred, which loss would be shared amongst companies trading to eighteen different countries, and seeing, on the other hand, a great prospect of fraud from allowing a drawback on coals taken on board in foreign ports, they felt compelled to adhere to the original resolution which they had come to on this subject. For these reasons he felt compelled to oppose the clause now proposed by the hon. Gentleman.

Mr. *Hume* said, that in France and other countries they were voting money to assist the extension of steam navigation. Though steam navigation had done much for this country, the country had done nothing for it. He thought it a most important branch of our commercial industry, that everything should be done to promote it. As the amount of duty now in question was so small, he did not think it worth for the Government to throw any difficulty in the way of its remission. He thought it would be very easy to prevent fraud by requiring a certificate of the length of the voyage, the amount of tonnage, and the quantity of coals consumed.

Sir *C. Napier* thought, that it would be easy to ascertain the amount of coals consumed during a voyage. He agreed with the hon. Member for Montrose, that it was necessary to give the utmost encouragement to the steam navigation. He asked the right hon. Gentleman, the Chancellor of the Exchequer, how could our steam-vessels compete with French steam-vessels in the Mediterranean, when those vessels would be able to get their coals cheaper. He had been a steam proprietor himself, and had been so at a loss. He knew how difficult it was for steam proprietors to get the interest of their money. He thought, therefore, that every fair encouragement ought to be given to steam navigation.

Mr. *M. Altwood* said, that there was no branch of the industry of the country which was suffering greater depression than that connected with steam navigation. The right hon. Gentleman had stated that the burden of the proposed duty would be borne by several companies. But in this the right hon. Gentleman was mistaken. It would only be borne by the small portion of steam navigation engaged in trading to foreign ports, and would not be borne by the steam-vessels engaged in the coasting trade. As the tax on coal affected a branch of commerce and industry which entered into direct competition with those of foreigners, the arguments in favour of it would equally apply to taxes on other branches of native industry. Had the Government taken the precaution of sufficiently consulting persons connected with steam navigation, as well as experienced Custom-house officers, they would have convinced them of the policy of making a relaxation in favour of the steam navigation of this country. There was much more fear of fraud expressed than the circumstances of the case warranted.

Mr. Gladstone remarked, that Gentlemen seemed to make light of the danger of fraud. It was easy, doubtless, to say, that it would not take place; but his right hon. Friend, the Chancellor of the Exchequer, having carefully examined the subject, had come to the deliberate conclusion, that under the system of drawbacks proposed fraud would occur. Consular certificates were talked of, but any one who knew how little authority was possessed by consuls, could not suppose that their certificates would put a stop to fraud. An hon. Member had suggested, that the quantity of coals the steamer would consume on the voyage should be calculated, but that of course must depend on the number of hours spent in the voyage, of which there could be no certainty. [Mr. Hume: It might be ascertained by the log.] On an arrangement such as that suggested by the hon. Member for Montrose, consultations had been held with officers of the public revenue, who thought it impracticable. It was said, that a drawback, arranged from returns made from depots abroad, would not be a relief to the steam-shipping interests of more than 5,000*l.*, but it did not follow that the loss to the revenue, by fraud or otherwise, might not be five, or even ten times that amount. If the proposition for exemption in the present case were listened to the same claim might be raised on behalf of other articles. They should not look at this matter with a view merely to minute circumstances; for if the cost of navigation were increased by this tax, did not the question arise whether that cost would not be diminished by the alterations in other articles in the tariff. It should be considered whether the cost of other articles required in navigation, such as provisions for sailors, were not likely to be reduced to an amount, at least, equal to the increase which this duty might cause. Gentlemen were mistaken if they thought the loss to steam navigation caused by the proposition of Government, with respect to coal, would be greater than the benefits it would receive from the reduction of other taxes. The imposition of the tax on the exportation of coal had not been decided on as a tax which was abstractedly desirable, but for the purpose of revenue, and the Government would resist the alterations proposed on the ground that they would defeat the very view with which the duty was sought to be imposed—namely,

that of obtaining a certain amount of revenue from that source.

Mr. P. M. Stewart would vote for the amendment of his hon. Friend, on the ground that the duty would prove injurious to the British industry in the race of competition it had to run with that of foreigners. He felt that if this tax were adopted, the shipping interests of this country would suffer materially, and what the interests of steam navigation would lose sailing vessels would not gain. We were already hard run in the race of competition for the supply of coals, and the 2*s.* duty would embarrass the English interests still more. Besides, the duty would have a great disturbing effect on the steam navigation of this country. What he would ask the Government to do was, to take the certificate of respectable companies that vessels were *bonâ fide* proceeding to particular ports, and that no fraud would be committed in the returns. The Government had shown itself favourable to consideration on this question, and he hoped they would listen to the representations which had been made.

Sir R. Peel said, the hon. Gentlemen who had just sat down, having admitted that the Government were not prejudiced, but favourably disposed to consideration, it would be further allowed that if they arrived at a different conclusion from that of the hon. Gentleman, such conclusion would be come to, not from prejudiced feelings, but from the conviction that danger would arise from the adoption of any other course. It would be admitted that one of the most satisfactory modes in which the public money could be disbursed would be the payment of money from the Treasury for drawbacks where no direct claim existed, and where fraud might occur. There were two views to be taken of the question. One was, as to the burden to be laid upon steam navigation. No one would deny that such a burden was in the abstract bad. He held in his hand a communication forwarded to Government on the 10th of June from the committee of the Steam-ship Owner's Association, signed by Mr. Wolverley Attwood, a gentleman whose knowledge and acquirements all would admit. That document, after other statements, called on the Government to consider that the gain to steam navigation by the drawback would be no more than 5,000*l.* This was the whole gain which, according to the Steam-ship Owner's Association, would be ob-

tained by that interest from the drawback, even with a duty of 4s. [Mr. Attwood: The calculation was made on the supposition of a 2s. duty.] He understood it to be with a 4s. duty. While, however, the gain to the steam shipping interest would be small, the loss to the revenue would be great. In the course of this debate, three propositions had been made; one Gentleman was for a system of drawbacks founded on consular certificates. The hon. Member for Montrose made another proposition, which certainly was of a most alarming nature. The hon. Member's plan amounted to this—that an estimate of the tonnage of steam ships should be taken, and of the hours employed on the passage, and that each vessel should be entitled to claim a certain sum from Government for every hour of its passage. Would 5,000*l.* or 10,000*l.* be the limit by which the claims thus arising would be calculated? Some vessels were said to consume one and a-half tons per hour. Vessels of this kind would have a demand of 3*s.* an hour for every hour of their passage, which, multiplied by twenty-four, would be 3*l.* 12*s.* a day. Then came the inquiry, how long would the vessel be on her voyage? Suppose her to be 100 days, the demand would be near 400*l.* [Mr. Hume: Suppose she goes to the moon?] The hon. Gentleman, in reply to my arguments, merely draws on his lively imagination. This is the first time, I believe, he has become amenable to the charge of indulging in poetical flights. But I have a right to put the supposition of the passage lasting 100 days. [Mr. M. Attwood: Fifteen days is the average duration of the voyages across the Atlantic?] Suppose the voyage were to India. Let us take the medium between the voyage to the moon, and the fifteen days across the Atlantic; and suppose the case of a vessel going to India by the passage round the Cape. It is known that steam-vessels often take advantage of a favourable wind, and progress with the assistance of their sails, in order to save coal. Now, according to the hon. Member's proposition, there is this absolute, unqualified demand of 3*l.* 12*s.* a day, even for the time when there was no consumption of coals. Suppose, again, the case of a vessel off Nova Scotia, taking in coals at Halifax, would she have a right to demand this allowance? I can assure the House that the determination came to by the Government was not adopted without consider-

ation, as well as consultation with officers of the revenue. We cannot reconcile with what we have ascertained, to think that the drawback could be granted without evasion and fraud; and, as I before remarked, the House should remember, that one of the worst possible modes of disbursement of the public money is in the payment of drawbacks under such circumstances.

Viscount Sandon must take the liberty of observing, that the views expressed by Government looked more like the nicety of the custom-house than the views of the Board of Trade. The fact was, that such frauds as were spoken of, could only be apprehended from obscure individuals; but here they had to deal with great, extensive, and respectable companies, who were above the suspicion of such frauds. Indeed, it would not be worth their while to commit them. They were now about taxing the raw material of the steam navigation of this country, a course opposed to sound commercial principle. The trifling loss of revenue should be submitted to this year, at all events; and if it was then found that frauds were practised, they could say, "You are not worthy of receiving the exemption," and withdraw it. By trusting to the returns of the respectable companies engaged in steam navigation, they would be only doing what had already been done in the case of railways.

The House divided on the question that the clause be read a second time:—Ayes 42; Noes 80: Majority 38.

#### List of the AYES.

Aldam, W.	Pechell, Capt.
Attwood, M.	Pendarves, E. W. W.
Barnard, E. G.	Rundle, J.
Bowring, Dr.	Russell, Lord J.
Browne, hon. W.	Sandon, Visct.
Carnegie, hn. Capt.	Sibthorp, Col.
Chapman, B.	Smith, B.
Crawford, W. S.	Stewart, P. M.
Duncan, G.	Stuart, Lord J.
Duncombe, T.	Strutt, E.
Ewart, W.	Tancred, H. W.
Fielden, J.	Thornely, T.
Forster, M.	Tuffnell, H.
Heathcoat, J.	Vane, Lord H.
Henley, J. W.	Wakley, T.
Howard, P. H.	Wallace, R.
Hume, J.	Williams, W.
Humphery, Ald.	Wood, B.
Hutt, W.	Yorke, H. R.
Lambton, H.	
Marsland, H.	TELLERS.
O'Connell, D.	Jervis, J.
O'Connell, M. J.	Napier, Sir C.

*List of the Noxs.*

Allix, J. P.	Kemble, H.
Antrobus, E.	Knatchbull, rt. hn. Sir E.
Arbuthnot, hon. H.	Lefroy, A.
Baillie, Col.	Litton, E.
Baring, hon. W. B.	Lockhart, W.
Bentinck, Lord G.	Lowther, hon. Col.
Borthwick, P.	Mackenzie, T.
Botfield, B.	Mackenzie, W. F.
Brotherton, J.	Mainwaring, T.
Bruce, Lord E.	Marshall, Visct.
Campbell, A.	Martin, C. W.
Clerk, Sir G.	Mitchell, T. A.
Clive, hon. R. H.	Newport, Visct.
Corry, rt. hon. H.	Nicholl, rt. hn. J.
Cripps, W.	Northland, Visct.
Damer, hon. Col.	Patten, J. W.
Danison, E. B.	Peel, rt. hn. Sir R.
Dickinson, F. H.	Peel, J.
Douglas, Sir C. E.	Plumtre, J. P.
Egerton, W. T.	Polhill, F.
Escott, B.	Pollock, Sir F.
Flower, Sir J.	Pringle, A.
Forbes, W.	Rose, rt. hn. Sir G.
Fuller, A. E.	Round, C. G.
Gaskell, J. Milnes	Rushbrooke, Col.
Gladstone, rt. hn. W. E.	Smyth, Sir H.
Gladstone, T.	Smythe, hon. G.
Goulburn, rt. hon. H.	Stanley, Lord
Graham, rt. hn. Sir J.	Stewart, J.
Greenall, P.	Stuart, H.
Greene, T.	Sturt, H. C.
Grimsditch, T.	Sutton, hon. H. M.
Hamilton, W. J.	Trench, Sir F. W.
Hardinge, rt. hn. Sir H.	Trotter, J.
Hawkes, T.	Vere, Sir C. B.
Hervey, Lord A.	Vesey, hon. T.
Hodgson, R.	Wood, Col.
Hope, hon. C.	Wood, Sir M.
Hughes, W. C.	
Hussey, T.	TELLERS.
Inglis, Sir R. H.	Baring, H.
Jermyn, Earl	Fremantle, Sir T.

Mr. *T. Duncombe* called the attention of the House to the change effected by the new tariff in the article of onion seed. He did not say that the seedsmen of this metropolis would take advantage of the state of the law for the purpose of introducing onion seed as leek seed, though they might do so, and by that means pay a much smaller duty than if a genuine article were imported under its proper designation. He hoped it would be clearly understood that the right hon. Gentleman opposite had assented to the position that the duties on those descriptions of seeds should be assimilated. It had been urged in favour of the postponement that the onion was a biennial. Now, he had a list of biennials furnished by horticulturists; and it appeared that clover as well as onions was a biennial—that was to say, they were of 18 months' growth: whereas

leeks, the duty on which could not be postponed on account of some matter of form, was of twenty months' growth. The Lisbon onion seed was a seed that could not be saved in this country. It was much sown in the neighbourhood of manufacturing towns. Last year two tons were sown near Manchester, ten cwt. near Leeds, two tons at Wakefield, and one ton near and about Liverpool. He had samples of leek seed and onion seed before him, and he declared that it was impossible for any one to distinguish one from the other; so that one might be passed for the other. The new duty on both ought to come into operation immediately. He therefore moved, that the words which went to postpone the duty on onion seed until after the 6th of July, 1843, be struck out.

Mr. *Gladstone* thought, the hon. Member for Finsbury had drawn rather largely upon his imagination in his description of what he supposed to have taken place between the Board of Trade and certain parties in relation to this question. No communication had been made to any such parties of the intention of Government to postpone the duty on onion seed. [Mr. *T. Duncombe*: They made application to you.] Yes, they made application, but no communication was made to certain parties to the injury of others; and as to speculations, the most extraordinary speculations had frequently arisen in men's minds, but the Government could not be held responsible for them. The hon. Gentleman had said, that the general appearance of the two seeds was very like; no doubt; but it was impossible, according to the forms of the House, to assimilate the duty on onions and leeks; precautions, however, would be taken by the Government against the improper introduction of onion seed before July, 1843. A similar indulgence to that which this proposition extended to the growers of onions, had been granted to three other classes of persons, the provision merchants, the whale fishers, and the cork cutters. Why should not the same principle be adopted in this case as well as in the other cases? Surely, the hon. Gentleman who had complained that small classes were neglected, would not oppose this proposition, because the onion growers formed only a small class. The change to which these parties were to be subjected, was as sweeping and serious a one as any in the tariff, and that was another reason why



they should meet with some consideration. The duty had heretofore been enormously high—eight guineas per cwt. But as the Government saw that it was an article of such consequence to the poor, they refused to maintain a higher duty than 20s. The grower of onions would pay  $\frac{1}{4}$ d. per bushel on the onions he might grow, on account of the duty on seed in this country; but against that, there was a protection of 6d. a bushel on onions imported, so that, though the diminution of the duty was great, there would be a protection of above 5d., which he thought would be quite sufficient. He was of opinion, that a lower duty should be placed upon the importation of the seed, which were a sort of raw material, than upon the product of those seeds, wherever that could be done with safety. He was sensible of the advantages derivable from making an immediate change, but it became the Government to have a due regard to the balance of evils in this case, and take that course which seemed to be most advantageous.

Mr. *Humphery* believed, that the officers at the Custom-house would be perfectly unable to distinguish onion from leek seed, and great frauds would be perpetrated, because onion seed would be introduced as leek seed.

Mr. *Hume* thought, that his hon. Friend had made out a case in favour of the alteration. He thought that the Government had been cajoled on the subject. The reduction of the duty ought to take place immediately.

Mr. *Baring* supported the amendment. He thought the difference of duty would be a source of constant fraud.

Mr. *T. Duncombe* replied.—He denied that the growers of the onion seed required a postponement of the duty. This postponement was only supported by a few holders of onion seed. The Government had been imposed upon. Was it right that the Government should thus promote the views of a few dishonest persons?

The House divided on the question proposed to be left out stand part of the bill:—Ayes 93; Noes 63.—Majority 30.

#### List of the AYES.

A'Court, Capt.	Barrington, Visct.
Allix, J. P.	Blakemore, R.
Antrobus, E.	Botfield, B.
Arbuthnott, hon. H.	Bramston, T. W.
Baillie, Col.	Broadley, H.
Baring, hon. W. B.	Broadwood, H.

Bruce, Lord E.	Jermyn, Earl
Buck, L. W.	Jones, Capt.
Burrell, Sir C. M.	Kemble, H.
Burroughes, H. N.	Knight, H. G.
Campbell, A.	Lincoln, Earl of
Cardwell, E.	Lindsay, H. H.
Cartwright, W. R.	Mackenzie, T.
Chetwode, Sir J.	Mackenzie, W. F.
Clayton, R. R.	Maclean, D.
Clerk, Sir G.	Mahon, Visct.
Clive, hon. R. H.	Mainwaring, T.
Colville, C. R.	Manners, Lord C. S.
Cresswell, B.	Marsham, Visct.
Cripps, W.	Martin, C. W.
Dawnay, hon. W. H.	Masterman, J.
Denison, E. B.	Mundy, E. M.
Dickinson, F. H.	Nicholl, right hon. J.
Douglas, Sir C. E.	Peel, right hon. Sir R.
Eliot, Lord	Peel, J.
Escott, B.	Pigot, Sir R.
Flower, Sir J.	Plumptre, J. P.
Ffolliott, J.	Polhill, F.
Fuller, A. E.	Præd, W. T.
Gaskell, J. Milnes	Pringle, A.
Gladstone, rt. hn. W. E.	Repton, G. W. J.
Gore, M.	Round, C. G.
Graham, rt. hn. Sir J.	Rushbrooke, Col.
Greenall, P.	Russell, J. D. W.
Greene, T.	Shaw, right hon. F.
Grimsditch, T.	Smith, A.
Hamilton, W. J.	Smyth, Sir H.
Hampden, R.	Stanley, Lord
Henley, J. W.	Stewart, J.
Hervey, Lord A.	Sutton, hon. H. M.
Hodgson, F.	Trench, Sir F. W.
Hodgson, R.	Trotter, J.
Hogg, J. W.	Walsh, Sir J. B.
Hope, hon. C.	Wilbraham, hn. R. B.
Howard, P. H.	Young, J.
Hughes, W. B.	TELLERS.
Hussey, T.	Fremantle, Sir T.
Inglis, Sir R. II.	Baring, H.

#### List of the NOES.

Aldam, W.	Hill, Lord M.
Attwood, M.	Hobhouse, rt. hn. Sir J.
Bannerman, A.	Howick, Visct.
Barclay, D.	Hume, J.
Baring, rt. hn. F. T.	Hutt, W.
Barnard, E. G.	Jervis, J.
Bowring, Dr.	Labouchere, rt. hn. H.
Brotherton, J.	Lambton, H.
Browne, hon. W.	Layard, Capt.
Chapman, B.	Marsland, H.
Childers, J. W.	Mitchell, T. A.
Clive, E. B.	Morris, D.
Colebrooke, Sir T. E.	Napier, Sir C.
Craig, W. G.	O'Connell, D.
Crawford, W. S.	O'Connell, M. J.
Duncan, G.	O'Connell, J.
Evans, W.	Pechell, Capt.
Fielden, J.	Pendarves, E. W. W.
Forster, M.	Plumridge, Capt.
Gibson, T. M.	Power, J.
Gill, T.	Pulsford, R.
Grey, rt. hn. Sir G.	Russell, Lord J.
Heathcoat, J.	Scholefield, J.

Smith, J. A.  
 Smith, rt. hn. R. V.  
 Somerville, Sir W. M.  
 Stansfield, W. R. C.  
 Stewart, P. M.  
 Stock, Mr. Serj.  
 Strutt, E.  
 Tancred, H. W.  
 Thornely, T.  
 Villiers, hon. C.

Wakley, T.  
 Wall, C. B.  
 Wallace, R.  
 Wawn, J. T.  
 Williams, W.  
 Wood, B.  
 Yorke, H. R.  
 TELLERS.  
 Humphery, Ald.  
 Duncombe, T.

Mr. T. Duncombe then moved, that the duty on corks squared for rounding be reduced from 16s. the cwt. to 4s.

Mr. Gladstone was not at all prepared to accede to the proposition of the hon. Member. Since the last discussion upon the subject, he had been even more convinced that the proposition of the Government would be infinitely more to the advantage of the journeymen cork-cutters than that of the hon. Member.

The House divided on the question, that 16s. stand part of the bill:—Ayes 110; Noes 74: Majority 36.

#### List of the AYES.

Acland, Sir T. D.  
 A'Court, Capt.  
 Alford, Visct.  
 Antrobus, E.  
 Arbuthnott, hon. H.  
 Baillie, Col.  
 Barrington, Visct.  
 Barron, Sir H. W.  
 Bateson, R.  
 Beresford, Major  
 Blakemore, R.  
 Botfield, B.  
 Bramston, T. W.  
 Brocklehurst, J.  
 Bruce, Lord E.  
 Buck, L. W.  
 Burrell, Sir C. M.  
 Barroughes, H. N.  
 Campbell, A.  
 Cardwell, E.  
 Cartwright, W. R.  
 Chetwode, Sir J.  
 Clerk, Sir G.  
 Clive, hon. R. H.  
 Cresswell, B.  
 Cripps, W.  
 Dawnay, hon. W. H.  
 Denison, E. B.  
 Dickinson, F. H.  
 Douglas, Sir C. E.  
 East, J. B.  
 Eastnor, Visct.  
 Egerton, W. T.  
 Eliot, Lord  
 Escott, B.  
 Estcourt, T. G. B.  
 Fitzroy, hon. H.  
 Fleming, J. W.  
 Flower, Sir J.

Ffolliott, J.  
 Forbes, W.  
 Fuller, A. E.  
 Gaskell, J. Milnes  
 Gladstone, rt. hn. W. E.  
 Gladstone, T.  
 Gordon, hon. Capt.  
 Gore, M.  
 Gore, W. R. O.  
 Goring, C.  
 Graham, rt. hn. Sir J.  
 Greenall, P.  
 Greene, T.  
 Grimsditch, T.  
 Hamilton, W. J.  
 Hampden, R.  
 Hardinge, rt. hn. Sir H.  
 Hervey, Lord A.  
 Hogg, J. W.  
 Hope, hon. C.  
 Howard, P. H.  
 Hughes, W. B.  
 Hussey, T.  
 Inglis, Sir R. H.  
 Jackson, J. D.  
 Jermyn, Earl  
 Jones, Capt.  
 Kemble, H.  
 Lincoln, Earl of  
 Lindsay, H. H.  
 Litton, E.  
 Mackenzie, T.  
 Mackenzie, W. F.  
 Mahon, Visct.  
 Manners, Lord C. S.  
 Marsham, Visct.  
 Martin, C. W.  
 Mundy, F. M.  
 Neeld, J.

Neville, R.  
 Nicholl, rt. hon. J.  
 Peel, rt. hon. Sir R.  
 Peel, J.  
 Pigot, Sir R.  
 Plumptre, J. P.  
 Polhill, F.  
 Pollock, Sir F.  
 Pringle, A.  
 Reid, Sir J. R.  
 Rose, rt. hon. Sir G.  
 Round, C. G.  
 Rous, hon. Capt.  
 Rushbrooke, Col.  
 Russell, J. D. W.  
 Ryder, hon. G. D.  
 Shaw, rt. hn. F.  
 Smith, A.

Smyth, Sir H.  
 Stanley, Lord  
 Stewart, J.  
 Stuart, H.  
 Sturt, H. C.  
 Sutton, hon. H. M.  
 Trench, Sir F. W.  
 Trotter, J.  
 Vane, Lord H.  
 Vesey, hon. T.  
 Wall, C. B.  
 Walsh, Sir J. B.  
 Welby, G. E.  
 Wood, Col.  
 Young, J.

TELLERS.  
 Fremantle, Sir T.  
 Baring, H.

#### List of the NOES.

Aldam, W.  
 Barclay, D.  
 Baring, rt. hon. F. T.  
 Barnard, E. G.  
 Blake, M. J.  
 Bowring, Dr.  
 Broadley, H.  
 Brotherton, J.  
 Browne, R. D.  
 Browne, hon. W.  
 Busfield, W.  
 Cavendish, hon. G. H.  
 Chapman, B.  
 Childers, J. W.  
 Clayton, R. R.  
 Clive, E. B.  
 Colebrooke, Sir T. E.  
 Colville, C. R.  
 Craig, W. G.  
 Crawford, W. S.  
 Duncan, G.  
 Evans, W.  
 Ferguson, Sir R. A.  
 Forster, M.  
 Gibson, T. M.  
 Gill, T.  
 Grey, rt. hon. Sir G.  
 Grogan, E.  
 Halford, H.  
 Hanmer, Sir J.  
 Heathcoat, J.  
 Henley, J. W.  
 Hill, Lord M.  
 Hobhouse, rt. hn. Sir J.  
 Hodgson, R.  
 Howick, Visct.  
 Hume, J.  
 Hutt, W.  
 Jervis, J.

Labouchere, rt. hn. H.  
 Layard, Capt.  
 Marsland, H.  
 Mitchell, T. A.  
 Morris, D.  
 Napier, Sir C.  
 O'Connell, D.  
 O'Connell, M. J.  
 O'Connell, J.  
 Ogle, S. C. H.  
 Pechell, Capt.  
 Plumridge, Capt.  
 Power, J.  
 Pulsford, R.  
 Rundle, J.  
 Russell, Lord J.  
 Scholefield, J.  
 Seymour, Lord  
 Smith, rt. hon. R. V.  
 Somerville, Sir W. M.  
 Stansfield, W. R. C.  
 Stewart, P. M.  
 Strutt, E.  
 Talbot, C. R. M.  
 Tancred, H. W.  
 Thornely, T.  
 Villiers, hon. C.  
 Wakley, T.  
 Wallace, R.  
 Wawn, J. T.  
 Wilbraham, hon. R. B.  
 Williams, W.  
 Wood, B.  
 Worsley, Lord  
 Wrightson, W. B.

TELLERS.  
 Duncombe, T. S.  
 Humphrey, Ald.

On the question that the bill do pass,  
 Lord J. Russell said, that he could not allow the bill to pass without making a few remarks on the general provisions of a measure which made alterations of duties of various kinds, of duties altogether prohibitory, of duties too high, and of other

duties, founded on no principle whatever; all of which alterations, he admitted, were calculated to effect a great improvement in the commercial system of the country. He rejoiced that the bill now about to pass was founded on principles which the right hon. Gentleman who introduced the tariff, and the right hon. Gentleman the Vice President of the Board of Trade had admitted to be sound, on which the late Ministers had proceeded last year, and which, they contended, ought to be established as the general commercial principles of the country. In the application, however, of those principles, there had been a great and lamentable deficiency, in so far as they had not been applied to the most important articles of foreign produce. It was impossible not to see that, to some of the most important articles relating to the subsistence and consumption of the people, there had been an utter refusal to apply those principles at the present moment. Certainly there had been reasons stated for that refusal;—it had been said that a duty of 25 to 30 per cent. was maintained on butter and cheese, on the ground of revenue, and that they could not afford any reduction of the high differential duty, as between foreign and colonial coffee. On sugar, a duty almost prohibitory was retained, on grounds relating to slavery. But there was another article which, though not included in the tariff, was more important than any of the articles in the tariff, and to which the same principles would apply, although Government had not thought fit to apply them—he meant the great article of corn. It had been said, in regard to fish, that if fish could be obtained cheaper, they ought to allow the cheaper fish to come in, and so to enable the people to have better food: and it was said in regard to potatoes, that if the price was high this year, it was in consequence of the bad condition of the potatoes, and that that was no reason why potatoes should not be admitted from foreign countries for the benefit of the people. These were cogent arguments; but why they were not applied to corn, as they were to fish and potatoes, it would be difficult to say. Therefore, though admitting that the principles on which the tariff was founded were, generally speaking, sound, yet he could not say that they would obtain all the benefits which they ought to obtain for the people, as long as those great articles of consumption were

omitted, and others, of much less importance, admitted into the tariff. It might be said, that by establishing sound principles,—that by passing a tariff containing a reduction of duty on 750 articles, they were establishing a case for the future, and that they would find, in time, that the duty on sugar, coffee, on the other articles of provision, and, above all, that the duty on corn would be altered according to the principles they had previously established. This might be the case in common times, but the present year was not an ordinary year with respect to the industry and trade of the country. According to the view which he took, it was most essential to adopt some means for reviving that industry, and for improving that trade. He did not think they could wait for one, two, or three years without very great suffering on the part of the community, and therefore, though he was glad that any measure like the present was about to pass, he yet regretted that the great power of the present Government had not been applied to the reduction of the duty on the great articles of consumption of the people. It was in their power, this year, to obtain that great advantage, and nobody would dispute that, if they had made propositions in regard to these articles, in conformity with the general principles of the tariff, that these propositions would have been adopted. What might occur in future years it was impossible to say. The Members in favour of restriction and monopoly had always formed a powerful party, and in a few years it might not be in the power of the Government to pass the law which the present Government might think essential to the welfare of the people. He, therefore, regretted that they had thrown away an opportunity, and that, while effecting important reductions in the duties on a great many articles, they had left out of the tariff articles of the greatest importance, which still remained subject to a duty of 30 or 40 per cent. He thought that, when they considered the present distressed state of the country, they would regret that the opportunity had not been taken of making reductions in the duty on the great articles of subsistence, according to those principles which the Government and the great majority of the House thought the only sound principles on which to proceed.

Sir R. Peel should be sorry, at the close of the final discussion on the tariff to in-

introduce anything of a political or party feeling into the discussion. Speaking generally, he was perfectly ready to acknowledge the support which the measure had received, not only from his friends, but from those politically opposed to him; and notwithstanding the temptation which the speech of the noble Lord offered for entering into a discussion of another character, he would, on the present occasion, confine himself to making one or two observations on what had fallen from the noble Lord. In respect to the general principles upon which the tariff was founded, the noble Lord remarked, that the present Government had borrowed the principles of the late Government. The noble Lord was not quite justified in saying so. In 1825, he cordially co-operated with Mr. Huskisson in the general principles which were then brought forward in reference to the commerce of the country. These principles he had uniformly held, and he had, to the best of his power, applied them to the tariff. The noble Lord said, that they had not applied those principles to corn. But he must ask the House and the country to judge of the tariff as a whole, and to say, whether any Government could have made such great changes in the commercial system of the country with more general approbation. The noble Lord said, that the Government had not gone far enough, and he alluded to the article of coffee. The proposal of the present Government with respect to coffee was, however, better than the proposal made by the noble Lord, and gave less advantage to our own colonies than the proposal of the noble Lord. Notwithstanding the free-trade principles professed by the late Government, he believed the articles of cheese and butter had never been once mentioned by them. Then, to take the article of meat. For years, there had been a weekly publication of the prices of foreign meat, compared to the price of meat in the home market; and the attempt was made to show, that while foreign meat was only 3*d.* per lb., English meat was 7*d.*, and that there was thus a complete monopoly in meat. The present Government proposed a duty of 1*d.* per lb. on foreign meat, and yet it was said, that no advantage would be gained from the alteration. With regard to sugar, they were not certainly prepared to alter the duty, and they had rested their unwillingness to do so on specific grounds, which they

thought, exempted sugar from being dealt with in the same way as other articles in the tariff. The House had fully discussed this subject, and the sugar duties remained for the present untouched. He had no wish to revive the discussion with respect to corn, but he could not help thinking that the alterations which had been made in the duty were—though they might not go so far as the noble Lord wished—still very important alterations. He very much feared that the distress in Ireland had been aggravated by the proposal in respect to spring corn; that there had been a waste of spring corn from an expectation of the introduction of foreign corn. When they came to legislate on questions of this kind, they were met by many conflicting circumstances; but, looking to the whole changes that had been made, and to the complicated interests involved, he could not help thinking, that the reflecting body of the community would be of an opinion different from that of the noble Lord, and that they would think, that Government had exercised its influence for wise purposes, and that they had effected as great changes as was possible, without violently disturbing the various interests involved; and which, on account of the long time which they had existed, could only be approached with great caution. If the noble Lord had considered the great changes which had been made, the noble Lord ought to have come to a different conclusion. For his own part, he was unwilling to disturb by political feeling or party recrimination that general assent which, greatly to the credit of the House, had prevailed during the discussion of this measure, and he now bade adieu to it, with an earnest hope that the object of the present Government would be answered, and that, doing as little individual injury as possible, the ultimate result would be to promote the commerce of the country, and to give new openings for its domestic industry. Such was his earnest hope, and if that end should be attained, he felt, that all their labour would be more than recompensed by such a desirable result.

Lord *J. Russell* begged leave to explain. He had made no appeal to party feeling, neither had he maintained that the right hon. Baronet had borrowed his principles from the late Government. He merely said, that the right hon. Gentleman had proceeded on the same principles as the

late Government, but he did not say, that the right hon. Baronet had not acted on those principles in 1836. With regard to the tariff, he lamented that a more liberal course had not been taken with regard to several important articles of subsistence. He hoped, the right hon. Baronet would be justified in his expectations of a revival of trade in consequence of his measures, as he would much rather be mistaken, than that the country should suffer. As the measure they were about to pass was of the deepest importance to the country, he had thought it right to state his opinions on the subject, but he had not done so with any party or factious feeling.

Mr. *V. Smith* wished to state the effect which the tariff would have upon one particular interest—he alluded to the shoemakers. In his opinion, the Government, by omitting from the tariff the two important articles of corn and sugar, had inflicted great hardship on the class of persons to which he referred. He would, whenever an opportunity was afforded him of doing so, vote for a considerable reduction of the duties on corn and sugar.

Mr. *Gladstone* said, in consequence of what had fallen from the right hon. Gentleman, he wished to state that the tanners had complained of the reduction of duty upon tanned leather from 6*d.* to 2*d.*, which they contended would afford great benefit to the shoemakers.

Viscount *Howick* thought the advantage of the tariff was this,—not that it effected a great improvement in our commercial system, but that it showed that the Government had commenced a course in which he was persuaded the House would, in future years, be compelled to proceed. He was convinced that eventually they must grapple with the master monopoly,—that they must get rid of the system of a sliding-scale of duties upon corn in defence of the maintenance of which hardly one argument had been advanced during the whole course of the debate. The whole tone of the argument of the right hon. Baronet with regard to meat and provisions was utterly inconsistent with the course he had adopted with regard to corn. He hoped they would speedily see corn dealt with on the same principles which had been applied to other articles.

Mr. *Hume* said, this measure effected great and important changes, such as could not have been attempted by any

one but a Minister as powerful as the right hon. Baronet. At the same time he deplored that those changes had not been carried further; but he could not allow the bill to pass without expressing his opinion that it effected great and important changes, which would lay the foundation for extensive improvements in our commercial system at a future period. This was the last of three important bills which the right hon. Baronet had proposed, the other two being the Income-tax Bill and the Corn-law Bill. Now he wished to put it to the right hon. Baronet whether all that he had done would produce any immediate benefit to the community at large,—whether this bill would have any immediate or speedy effect in relieving the prevalent distress, which was rather on the increase than on the decrease? He was satisfied they could not come to the conclusion that any of these measures would have such an effect; and he hoped the right hon. Baronet was prepared to submit to Parliament some other remedy for that distress. He saw no hope of relief—no chance that the year would be passed in peace—unless extensive and important changes were made; indeed, he did not think it possible this country could be maintained in peace, unless the Government consented to the free admission of corn and of provisions. His great objection to this measure was that it did not create a trade in corn. While he felt bound to thank the right hon. Baronet for having done so much in the revision of the commercial system, he must say that unless he went still further he would not succeed in restoring the country to peace and prosperity.

Mr. *G. Berkeley* begged to ask the right hon. Baronet the First Lord of the Treasury whether her Majesty's Government had received any intimation relative to a statement which had appeared in the public prints, that the French government had raised the duty on English linen and yarn 20 per cent.; and whether the Prussian League had raised the duty on woollen manufactures from thirty dollars to fifty dollars.

Sir *R. Peel* deeply regretted, not merely for its commercial effects, that the French government had adopted the course to which the hon. Gentleman had referred. The accounts received by her Majesty's Government were exceedingly brief, but they confirmed the statements which he

was informed had appeared in the public journals. It was not true that the Prussian League had raised the duty on cotton wool. He earnestly hoped that the reports on that subject were without foundation; but certainly it was not true that any such act had been passed.

Lord Worsley was satisfied that if the measures brought forward by her Majesty's present Government had been proposed by the late Government, hon. Gentlemen opposite would have complained loudly of the free-trade principles involved in those measures. Many hon. Members who supported the measure of the late Government for the imposition of a fixed duty of 8s. upon corn were told at the last election that they advocated free-trade principles; but many persons who then taunted them with adopting such principles would now be ready to accept a fixed duty of 8s. in preference to the rate of duty proposed by the present Government. He would not say that the tariff was founded altogether upon free-trade principles, but he considered that that measure was more likely to lead to the eventual adoption of a system of free-trade than any measure heretofore submitted to Parliament.

Mr. M. Gibson said, the right hon. Baronet, in stating the principle on which he acted in introducing this tariff, said it was that we should buy in the cheapest market, that whether other countries were disposed to restrict commerce or not, still we should consult our own interests, and buy in the cheapest market. That was the doctrine which the Anti-Corn-law League sought to impress upon the people of this country, that they should be allowed to buy corn in the cheapest market. He believed that, if the right hon. Baronet was allowed to carry out those principles of free-trade to which he had given his assent, he would allow them to buy corn in the cheapest market, and import it into this country free of duty. He had found, from intercourse with commercial men, that a great change had taken place in public opinion with regard to free-trade. He believed that, by the assistance of lecturers they would be able to be sent into distant parts of the country, to impress upon the people the truth of those principles upon which the right hon. Baronet at the head of her Majesty's Government had stated that trade and commerce ought to be conducted. They had the authority of the

Executive that they were teaching what was sound and correct; and if he were called on to subscribe his money to charities and missionaries, he should consider that he did not subscribe it to so good and to so humane a purpose as in subscribing it for Anti-Corn-law lectures. These lectures were attended when no other lectures were. Let them try a meeting on Church Extension, and they (the Anti-Corn-law advocates) would try one on Corn-laws, and the result would prove which excited the greatest interest. The events of the last few months had given the greatest possible encouragement to the Anti-Corn-law League, and they could not have a greater proof of the success of their endeavours than in the movement of the right hon. Baronet at the head of the Government.

Bill read a third time and passed.

BRITISH POSSESSIONS ABROAD—(COLONIAL CUSTOMS.)] The British Possessions Abroad Bill was read a third time.

Mr. Labouchere, in rising to bring forward the motion of which he had given notice, said he should trouble the House for but a very few moments. By the law, as it now stood, almost every article was imported duty free across the border of the United States of America into Canada. It was proposed to alter this system, and to impose duties upon two of the most important articles of trade—namely, wheat flour and cured provisions. It was the opinion of Lord Sydenham and other authorities on this question, that nothing could be more unwise than to establish a line of custom-houses on the extensive border which separated Canada from America. He was much surprised, after the passing of a bill of relaxation, of which he very much approved, to find that this should be the time taken in order to introduce a new principle, and to reverse the decision which Parliament came to in 1831, and which had been worked beneficially without any complaint up to the present moment. The House was aware that it had been the policy of this country to allow flour, the growth of Canada, to be imported into this country at a reduced duty. He did not believe that American flour came here as Canadian, to induce this alteration in the law. But when the harvest in Canada was such that it would be advantageous for the Canadians to send their flour here, he believed they did send

it in considerable quantities, and they consumed the flour of America. There was no cause for apprehension on the part of the landed interest from any great extension of this trade; and he was sure that the protection of the corn grower of this country would not be urged as a reason for abrogating that exemption. He thought that this alteration of duty might have been intended to protect some Canadian interest. But he had the satisfaction of hearing the right hon. Gentleman opposite state, that if any interest in Canada required protection, it was for the Canadian Legislature itself to provide it—that we had no business with it. But a principal argument on the other side was, that the revenue of Newfoundland might lose to the extent of 2s. a quarter on wheat unless this bill were adopted, whilst there was no corresponding advantage arising to the consumer. Now it did seem to him strange that for such a fine-drawn argument as this they should think it necessary to alter a state of things which had existed for a considerable number of years. It was very desirable that their legislation on subjects of this sort should not be capricious. The colonies were differently circumstanced to the mother country, in being unable to make an appeal through representatives against alterations in which they did not concur; and really he did think that unless some better reasons were adduced than the visionary ones to which he had referred, they would be legislating with much levity, and in a very mistaken spirit, if they consented to adopt such alterations on such reasoning. But he feared it would not be the effect of mere alteration alone which would operate injuriously if this bill were passed. A great flour trade had sprung up between America and Canada, attended with much advantage to the latter, and with still more advantage to the manufacturing interests in Great Britain. His hon. Friend the Member for Sheffield had stated on a former occasion, that at a time when Sheffield was in great distress the wants of the people were much alleviated by a sudden demand for their manufactured articles to pay for the flour thus imported. And when the House remembered that every barrel of flour thus brought across the border had to be paid for in the manufactured articles of Great Britain, surely they would not attempt to take a step so calculated at this to put an end to that trade.

He did not ask them to make any alteration more favourable to the United States, but he did ask, and with confidence, that they should not take any step on the side of restriction. Sure he was, if they considered all the inconveniences of the case—if they consented to weigh the evils of change against the futile reasons adduced in favour of it, they would not think of altering a law which had now existed for ten years, which was attended with very beneficial consequences to British interests, and which no one pretended for a moment to say was the cause or occasion of a single practical evil. On these grounds he should, in conformity with the motion on the paper, move a clause to continue the exemption from duty on American wheat flour imported into Canada.

Clause brought up and read a first time.

On the motion that the clause be read a second time,

Mr. Gladstone said, that he, of course, had no objection to offer to the course taken by the right hon. Gentleman, although he must say that he thought this was a subject entirely exhausted by previous debates. Practically speaking, he must say, that he estimated the importance as well as the consequences of this measure much lower than the right hon. Gentleman. The right hon. Gentleman had said, that it was not desirable to keep up our line of Customs' establishments on the Canadian frontier. Now, that argument went, not against the duties proposed to be levied by this bill, but against all duties whatsoever. Then the right hon. Gentleman urged that this American flour entered into consumption in Canada as a substitute for the Canadian flour sent to this country. But he had great doubts of that, for he had been informed, that while the mode of transmission under bond given to the Custom-house officers, as provided by the law, afforded the means of sending American produce by those routes without any impediments, it was perfectly adequate to prevent the consumption of that produce in the colony. He could state on the information given him by Sir Allan M'Nab, that this was now the case. He believed the principle on which they ought to legislate in these cases, was, that if they imposed a duty upon articles entering into importing colonies, they should also do so in those which entered into exporting colonies. It would be a hardship not

only on Newfoundland, as the right hon. Gentleman said, but on other importing colonies in the West Indies and North America, if this was not the case; and, he must add, if the Canadians wished to remain under our colonial system, then they must submit to the application of that system fairly and properly. On the whole, he saw nothing in what had been said to induce him to alter his views, and he should, therefore, oppose the clause.

Mr. Hutt said, this measure was a more important one than the right hon. Gentleman seemed to consider it to be. It was nothing less than the establishment of a Corn-law in Canada, and a Corn-law, not for the purposes of revenue, but solely to prevent the importation of flour into the colony. The establishment of a Corn-law in Canada would be followed by attempts to establish a similar law in other colonies. The next thing we should hear of would be a proposition for a Corn-law in New South Wales. The question had already been powerfully mooted there, and it only wanted the advocacy of such opinions as the right hon. Gentleman had urged in support of the present measure to be successful. In Canada we had for ten years acted on a different system, without there having been any allegation that evils had arisen from it, and he was greatly surprised that the Government, after having just passed the tariff, should have introduced a principle as regarded Canada so opposed to all the general principles which they had contended for in supporting that measure.

The House divided:—Ayes 83; Noes 160: Majority 77.

#### *List of the AYES.*

Ainsworth, P.	Colebrook, Sir T. E.
Aldam, W.	Craig, W. G.
Barclay, D.	Crawford, W. S.
Baring, rt. hon. F. T.	Denison, J. E.
Barnard, E. G.	Dennistoun, J.
Barron, Sir H. W.	Divett, E.
Berkeley, hon. C.	Duncan, G.
Berkeley, hon. F.	Duncombe, T.
Blake, M. J.	Ellis, W.
Bowring, Dr.	Evans, W.
Brotherton, J.	Ewart, W.
Buller, C.	Fielden, J.
Busfield, W.	Forster, M.
Cavendish, hn. G. H.	Gibson, T. M.
Chapman, B.	Gill, T.
Childers, J. W.	Gordon, Lord F.
Clay, Sir W.	Grey, rt. hn. Sir G.
Clive, E. B.	Guest, Sir J.
Cobden, R.	Hill, Lord M.

Hobhouse, rt. hn. Sir J.	Russell, Lord E.
Howick, Visct.	Scholefield, J.
Hume, J.	Seymour, Lord
Hutt, W.	Somerville, Sir W. M.
Jervis, J.	Stansfield, W. R. C.
Labouchere, rt. hn. H.	Stewart, P. M.
Lambton, H.	Stuart, Lord J.
Layard, Capt.	Strutt, E.
Marshall, W.	Tancred, H. W.
Marsland, H.	Thornely, T.
Mitchell, T. A.	Vane, Lord H.
Morris, D.	Villiers, hon. C.
Murphy, F. S.	Walker, R.
Napier, Sir C.	Wallace, R.
Norreys, Sir D. J.	Watson, W. H.
O'Brien, J.	Wawn, J. T.
O'Connell, M. J.	Williams, W.
O'Connell, J.	Wood, B.
Ogle, S. C. H.	Worsley, Lord
Parker, J.	Wrightson, W. B.
Pechell, Capt.	Yorke, H. R.
Plumridge, Capt.	TELLERS.
Rundle, J.	Smith, V.
Russell, Lord J.	Tufnell, H.

#### *List of the NOES.*

Acland, Sir T. D.	Eaton, R. J.
Acland, T. D.	Egerton, W. T.
A'Court, Capt.	Eliot, Lord
Alford, Visct.	Estcourt, T. G. B.
Allix, J. P.	Farnham, E. B.
Arbuthnott, hon. H.	Fellowes, E.
Arkwright, G.	Ferguson, Sir R. A.
Baillie, Col.	Feilden, W.
Baring, hon. W. B.	Filmer, Sir E.
Barrington, Visct.	Fitzroy, hon. H.
Bateson, R.	Fleming, J. W.
Beckett, W.	Flower, Sir J.
Bodkin, W. H.	Ffolliott, J.
Botfield, B.	Fuller, A. E.
Bramston, T. W.	Gaskell, J. M.
Broadley, H.	Gladstone, rt. hn. W. E.
Brownrigg, J. S.	Gladstone, T.
Bruce, Lord E.	Glynne, Sir S. R.
Buck, L. W.	Gordon, hon. Capt.
Buller, Sir J. Y.	Gore, M.
Bunbury, T.	Goring, C.
Burroughes, H. N.	Goulburn, rt. hon. H.
Campbell, A.	Graham, rt. hn. Sir J.
Cardwell, E.	Granby, Marq. of
Chetwode, Sir J.	Greenall, P.
Christopher, R. A.	Greene, T.
Clayton, R. R.	Grimsditch, T.
Clerk, Sir G.	Grimston, Visct.
Clive, hon. R. H.	Grogan, E.
Colville, C. R.	Hale, R. B.
Compton, H. C.	Hamilton, W. J.
Corry, rt. hon. H.	Hampden, R.
Cresswell, B.	Hardinge, rt. hn. Sir H.
Cripps, W.	Heathcote, G. J.
Darby, G.	Henley, J. W.
Dawnay, hon. W. II.	Hepburn, Sir T. B.
Denison, E. B.	Hervey, Lord A.
Dick, Q.	Hodgson, R.
Douglas, Sir H.	Hogg, J. W.
Douglas, Sir C. E.	Hope, hon. C.
Eastnor, Visct.	Horaby, J.



Hughes, W. B.  
 Hussey, T.  
 Ingestre, Visct.  
 Inglis, Sir R. H.  
 Jackson, J. D.  
 Jermyn, Earl  
 Jones, Capt.  
 Kemble, H.  
 Kerr, D. S.  
 Knatchbull, rt. hon. Sir E.  
 Knight, H. G.  
 Lawson, A.  
 Legh, G. C.  
 Liddell, hon. H. T.  
 Lincoln, Earl of  
 Litton, E.  
 Lockhart, W.  
 Lowther, hon. Col.  
 Lyall, G.  
 Lygon, hon. Gen.  
 Mackenzie, T.  
 Mackenzie, W. F.  
 McGeachy, F. A.  
 Mahon, Visct.  
 Mainwaring, T.  
 Manners, Lord C. S.  
 Manners, Lord J.  
 March, Earl of  
 Marsham, Visct.  
 Martin, C. W.  
 Masterman, J.  
 Miles, W.  
 Mundy, E. M.  
 Neeld, J.  
 Nicholl, rt. hon. J.  
 Norreys, Lord  
 Palmer, R.  
 Patten, J. W.  
 Peel, rt. hon. Sir R.  
 Peel, J.  
 Philipps, Sir R. B. P.

Plumptre, J. P.  
 Polhill, F.  
 Pollock, Sir F.  
 Pringle, A.  
 Pusey, P.  
 Rashleigh, W.  
 Reid, Sir J. R.  
 Rose, rt. hon. Sir G.  
 Round, C. G.  
 Rous, hon. Capt.  
 Rushbrooke, Col.  
 Russell, J. D. W.  
 Ryder, hon. G. D.  
 Scarlett, hon. R. C.  
 Shaw, rt. hon. F.  
 Sheppard, T.  
 Smith, A.  
 Stanley, Lord  
 Stewart, J.  
 Stuart, H.  
 Sutton, hon. H. M.  
 Talbot, C. R. M.  
 Taylor, T. E.  
 Taylor, J. A.  
 Trench, Sir F. W.  
 Trollope, Sir J.  
 Tyrell, Sir J. T.  
 Verner, Col.  
 Vesey, hon. T.  
 Vivian, J. E.  
 Waddington, H. S.  
 Wilbraham, hon. R. B.  
 Wodehouse, E.  
 Wood, Col.  
 Wortley, hon. J. S.  
 Yorke, hon. E. T.  
 Young, J.

## TELLERS.

Fremantle, Sir T.  
 Baring, H.

Mr. *Milner Gibson* moved the omission of part of the 9th clause, imposing a 10 per cent. *ad valorem* duty on foreign sugar, refined in bond, and exported from England to any of our colonial possessions. The right hon. Gentleman had distinctly stated that it was not his intention to place any duty on articles imported into the colonies, into the produce of which British labour entered. The British Parliament had no right to lay duties on articles imported into the colonies for the purposes of revenue, but merely for the purpose of regulating commerce. The right hon. Gentleman had laid down that principle, and acting on it, he had repealed all the acts imposing duties on articles of British manufactures imported into the colonies. Now, sugar refined in bond in this country was undoubtedly an article of British manufacture. The imposing this duty was

acting contrary to the spirit of the Declaratory Act. It would, besides, be prejudicial to the West-India planters, who would not be able to replace the sugar sent to this country at so low a cost as he did at present. It would, moreover, be very injurious to the sugar refiners of this country; for these reasons he should move that the clause be struck out of the bill.

Mr. *Gladstone* regretted that the hon. Gentleman had brought forward his motion without notice, because from its complex nature it would be difficult to discuss it in detail, or to explain the practical effect of its clauses. The hon. Gentleman was quite right in his supposition that this clause would impose 10 per cent. duty on this article on its importation into the colonies; but the reason why this article was dealt with in a peculiar manner, was, that it connected itself with the sugar question at home; and the same circumstances which made the Government think the present an unfit period for the settlement of the sugar duties at home, applied the duties on the same article when imported into the colonies.

Mr. *Humc* thought the objection of the hon. Member for Manchester perfectly good.

Mr. *Labouchere* was aware this was a complicated question. He hoped the right hon. Gentleman could satisfy the House that no addition would be made to the price of refined sugar in the colonial markets by the clause.

Mr. *Villiers* declared he could not understand the clause.

Mr. *Gladstone* said, it was not at all strange that Gentlemen should not understand it who had not become in any degree acquainted with it. The best proof of the justice of the measure was this, that the sugar refiners did not oppose it.

Lord *Stanley* said, those who understood the measure agreed in its propriety.

The House divided, on the question that the words proposed to be left out stood part of the question:—Ayes 105; Noes 36: Majority 69.

*List of the AYES.*

Acland, Sir T. D.	Baring, hon. W. B.
A'Court, Capt.	Barrington, Visct.
Aillix, J. P.	Beckett, W.
Arkwright, G.	Bodkin, W. H.
Attwood, M.	Bramston, T. W.
Baillie, Col.	Broadley, H.

Brownrigg, J. S.  
 Bruce, Lord E.  
 Buller, Sir J. Y.  
 Bunbury, T.  
 Burroughes, H. N.  
 Campbell, A.  
 Clayton, R. R.  
 Clerk, Sir G.  
 Clive, hn. R. H.  
 Colville, C. R.  
 Compton, H. C.  
 Corry, rt. hon. H.  
 Cripps, W.  
 Denison, E. B.  
 Dickinson, F. H.  
 Douglas, Sir H.  
 Douglas, Sir C. E.  
 Eastnor, Visct.  
 Egerton, W. T.  
 Eliot, Lord  
 Estcourt, T. G. B.  
 Farnham, E. B.  
 Fleming, J. W.  
 Ffolliott, J.  
 Fuller, A. E.  
 Gaskell, J. Milnes  
 Gladstone, rt. hn. W. E.  
 Glynn, Sir S. R.  
 Gordon, hon. Capt.  
 Gore, M.  
 Goulburn, rt. hon. H.  
 Graham, rt. hn. Sir J.  
 Greene, T.  
 Grimditch, T.  
 Grimston, Visct.  
 Grogan, E.  
 Hale, R. B.  
 Hamilton, W. J.  
 Hardinge, rt. hn. Sir H.  
 Henley, J. W.  
 Hogg, J. W.  
 Hughes, W. B.  
 Hussey, T.  
 Ingestre, Visct.  
 Inglis, Sir R. H.  
 Jackson, J. D.  
 Jermyn, Earl  
 Johnstone, H.

Ker, D. S.  
 Knatchbull, rt. hn. Sir E.  
 Lawson, A.  
 Legh, G. C.  
 Liddell, hn. H. T.  
 Lincoln, Earl of  
 Lockhart, W.  
 Lowther, hon. Col.  
 Mackenzie, W. F.  
 McGeachy, F. A.  
 Mahon, Visct.  
 Mainwaring, T.  
 Manners, Lord J.  
 Marsham, Visct.  
 Martin, C. W.  
 Masterman, J.  
 Mundy, E. M.  
 Nicholl, rt. hon. J.  
 Ogle, S. C. H.  
 Palmer, R.  
 Patten, J. W.  
 Peel, rt. hn. Sir R.  
 Peel, J.  
 Pigot, Sir R.  
 Plumptre, J. P.  
 Pollock, Sir F.  
 Rashleigh, W.  
 Rose, rt. hon. Sir G.  
 Rushbrooke, Col.  
 Ryder, hon. G. D.  
 Scarlett, hon. R. C.  
 Shaw, rt. hon. F.  
 Stanley, Lord  
 Stuart, H.  
 Sutton, hon. H. M.  
 Talbot, C. R. M.  
 Taylor, J. A.  
 Trench, Sir F. W.  
 Tyrell, Sir J. T.  
 Verner, Col.  
 Vesey, hon. T.  
 Waddington, H. S.  
 Wilbraham, hon. R. B.  
 Yorke, hon. E. T.  
 Young, J.

TELLERS.  
 Fremantle, Sir T.  
 Pringle, A.

#### List of the NOES.

Berkeley, hon. C.  
 Blake, M. J.  
 Bowring, Dr.  
 Brotherton, J.  
 Busfield, W.  
 Cavendish, hn. C. C.  
 Chapman, B.  
 Childers, J. W.  
 Cobden, R.  
 Crawford, W. S.  
 Duncan, G.  
 Duncombe, T.  
 Etwall, R.  
 Ewart, W.  
 Fielden, J.  
 Forster, M.  
 Gill, T.

Marshall, W.  
 Marsland, H.  
 Morris, D.  
 Napier, Sir C.  
 Norreys, Sir D. J.  
 O'Connell, M. J.  
 Parker, J.  
 Pechell, Capt.  
 Redington, T. N.  
 Rice, E. R.  
 Russell, Lord E.  
 Scholefield, J.  
 Somerville, Sir W. M.  
 Thornly, T.  
 Villiers, hon. C.  
 Wallace, R.  
 Watson, W. H.

TELLERS.  
 Gibson, T. M.  
 Hume, J.

Bill passed.  
 House adjourned at one o'clock.

#### HOUSE OF LORDS,

Wednesday, June 29, 1842.

MINUTES.] *BILLS. Public.*—3<sup>a</sup>. 3<sup>a</sup>. and passed:—Jurisdiction of Justices.  
*Private.*—3<sup>a</sup>. and passed:—Bromyard Roads; Stourbridge Road.

Adjourned.

#### HOUSE OF COMMONS,

Wednesday, June 29, 1842.

MINUTES.] *BILLS. Public.*—1<sup>a</sup>. 2<sup>a</sup>. Justices Jurisdiction.

*Private.*—3<sup>a</sup>. Cambuslang and Muirkirk Roads (No. 2); Duke of Cleveland's Estate.

*Reported.*—Toxteth Park Paving and Sewerage; Leeds Burial Ground.

3<sup>a</sup>. and passed:—Blackburn and Chorley Road.

PETITIONS PRESENTED. From Hoxne, for the Rating of the Owners of small Tenements.—By Mr. Brotherton, from Simpson, Roston, and Co.; and by Mr. Godson, from North Staffordshire, against the Mines and Collieries Bill.—By Mr. Plumptre, from Manchester and Denby, for Inquiry into the Maynooth System of Education.—By Mr. Colville, from Ashbourne, against any further Grant to Maynooth.—By Colonel Rushbrooke, from Sudbury, against the Sudbury Disfranchisement Bill.—By Mr. S. Crawford, from West Riding of Yorkshire, to substitute Affirmations for Oaths.—By Mr. Hume, from the Southern District of Finsbury, for Redemption of Metropolitan Tolls.—By Mr. Shaw, from Clonmeen, against the National System of Education (Ireland).—By Mr. Gregory, from Subscribers to Arklow Dispensary, against Placing the Medical Charities of Ireland under the Poor-law Commissioners.—By Mr. T. Duncombe, from Holmfirth, complaining of Distress and of the recent measures of Legislation.

SYRIA—OMAR PACHA.] Dr. Bowring said, he rose to put the questions to the right hon. Baronet of which he had given notice, relative to the state of Syria, and the performance of promises made by the Porta to the British Government. The right hon. Baronet was probably aware that great anxiety prevailed as to the present state of the population of that country, and he must also be aware of the promises held out to that population by the Sultan, and he should like to know how far they had been fulfilled? It appeared that Omar Pacha, an individual who was once a Christian, but had become a Mussulman, had been armed with the utmost authority in the district of Mount Lebanon, greatly to the dissatisfaction of the Christian population. A strong representation had, he understood, been made as to the great uneasiness which that nomi-

nation had caused, and that representation, he hoped, had been attended with the effect of causing the removal of the obnoxious individual, as the right hon. Baronet on a former occasion trusted that it would. It appeared also that a number of Albanians had been again introduced into the interior of Syria, notwithstanding the assurance given by the Turkish government that they would be employed only on the coasts. It could not be forgotten that these irregular hordes had committed frightful excesses when they were employed on the last occasion, and had spread through the whole country the utmost terror and alarm. Of this the British Government were well aware, and had made a representation to the Porte, and the answer was, that those troops would be withdrawn from the inland districts, and would only be employed on the coast and in garrison. But these irregular hordes would be useless in garrison. He feared very much that the promises made at Constantinople had not been fulfilled; and he begged leave to ask whether Omar Pacha had been removed from Mount Lebanon, and whether the Albanian troops were withdrawn from that district and stationed on the coast?

Sir R. Peel apprehended the object of the interference of this country and its allies in the affairs of Syria was to restore the dominion of Turkey over that portion of its territory on the eastern shores of the Levant, and to place the Ottoman government in the position of an independent power. Now, such being the object, he did not think that a British Minister was called on to interfere with respect to the affairs of Lebanon. By such interference they would, probably, be open to the censure of undertaking too much. For his own part, he should be excessively sorry to interfere with the sultan's government, and he, as a British Minister, declined any responsibility as to what might be done by that government. At the same time, with reference to every thing that formed a *bonâ fide* part of the sultan's engagements, the British Government would use all its influence to have them carried into effect. He had the satisfaction to say that the five powers were acting unitedly, and with the same views, respecting the independence of Turkey. They were all of opinion that the best policy for Turkey herself to adopt was to administer the affairs of Syria with a lenient and indulgent hand. The five

powers took precisely the same views as to the course of policy which the Porte ought to pursue, and they were at present tendering their advice to the Turkish government in the most perfect harmony. He remained of the same opinion with respect to that policy. As to Omar Pacha, he could not abandon the hope that some arrangement with respect to the appointment of a governor of Lebanon would be made more satisfactory to all parties. As to the other question, he had reason to believe that the assurances which had been given that the Albanian troops would be employed on the coast, and not in the interior, would be fulfilled. In his opinion the Turkish government would best consult its own interest by refraining from the employment of those troops altogether. He confidently hoped that the expectation entertained by the English Government would be fully realized. He had thus answered the questions of the hon. Member; but he entreated the House to bear in mind the general principle on which this Government acted with respect to foreign powers. The Government of this country was not answerable for the acts of other governments, and of course, could not be deemed responsible for any acts of the Turkish government in the management of its internal affairs. The hon. Member, with all his observation and experience, ought to be aware of this. The English Government would do the utmost they could to insure confidence and to obtain the fulfilment of all engagements positively entered into with them; but they could not answer for the acts of the government of Turkey, or of any other government, in the administration of its own internal affairs.

JUSTICES AT SESSIONS—SCARCITY OF SILVER COIN.] Sir J. Graham said, the House would recollect that a bill was passed which had been sent down from the other House for the purpose of limiting the jurisdiction of magistrates at quarter sessions. Now, it was of the utmost importance that the commission for giving the Royal Assent to this and certain other bills should be signed immediately. This bill had been inserted in this commission about to be issued for giving the Royal Assent to a variety of bills, and could not now be excluded from it. The commission would probably be signed in forty-eight hours. Now, it so happened that

the quarter sessions were sitting at this moment throughout England and Wales; and therefore it was desirable that this bill should not take effect until after those sessions had terminated. If this course were not adopted, important convictions might take place at the sessions, and questions of law might arise as to the legality of those convictions, if this bill by receiving the Royal Assent, and thus altering the magistrates' jurisdiction, came into immediate operation. To meet this difficulty a bill had been introduced, providing that the Justices' Jurisdiction Bill should not take effect till the 15th of July, after the usual time for holding the quarter sessions had expired. He proposed, therefore, that they should on this occasion dispense with the standing Orders, and that the bill should be advanced so many stages as would enable them in the course of to-morrow to return it to the other House of Parliament. He proposed that the bill should be now read a first time, and that it should also be advanced another stage.

Lord J. Russell was not satisfied with the explanation given by the right hon. Baronet. He saw no reason for passing the former bill in such a hurry. Great fault had been found with the late Administration for errors of legislation, but it appeared that their successors were not entirely infallible. It seemed to him, that in this case great neglect must have existed somewhere, and he could not avoid adverting to the fact, as the House must recollect that great severity of criticism was exercised by hon. Members opposite in the course of last Session when similar neglect was charged upon the then Government. He did not, however, mean to oppose the motion. The measure certainly appeared to him to be necessary, and he could only hope that such an occurrence would not again happen.

Sir J. Graham gave the noble Lord joy of the opportunity which he had afforded him for the expression of some of those feelings which he had been so much in the habit of indulging since his retirement from office. He did not claim any exemption from official infirmity, and he was glad that the resentment of the noble Lord would not lead him to interrupt the passing of a measure, the necessity of which was obvious.

Bill read a first time.

On the motion that it be read a second time,

Mr. T. Duncombe said, although they had been told long ago that the present Administration never stumbled over stones or fell into puddles, yet he conceived that many instances might be adduced in which they were not more vigilant than their predecessors. He, however, rose for the purpose of calling the attention of the House to something more important than even the hasty legislation in question. He had that morning received a letter containing a notice which had been issued by the board of guardians of the city of Norwich, which was well worthy of observation. The right hon. the Chancellor of the Exchequer, and the Master of the Mint, had stated, within a few days, that they doubted whether there was any scarcity of silver in fact. Now, what occurred on Monday last at Norwich? A notice, which he should presently read, was issued (of the legality of which he would say nothing, except that it was entirely illegal) which proved not only the greatness of the distress that prevailed there, but showed the immense inconvenience that was experienced in consequence of the state of the silver currency. The notice ran thus:—

"Notice is hereby given, that, in consequence of the great scarcity of silver and copper coins, the guardians of the poor of this city have been compelled to issue tickets of 1s. and 1s. 6d. each, in payment of relief granted to poor persons. Any tradesman or other person advancing money or goods, or both, upon such tickets, may receive the full value thereof, on presenting them at their office in Bridge-street, in amounts of not less than 10s.

"J. BECKWITH,  
"Governor of the Workhouse."

Now, what was the effect of this? The poor were relieved by one shilling and eighteen-penny tickets issued by the guardians, and the guardians issued a notice that they would not receive their own tickets back unless they came before them in amounts of more than 10s., thus enabling the guardians, in point of fact, to give the tradesman a light half-sovereign. Now, if this system were permitted to one set of guardians, what was to prevent others from following the example? In that case, the country was likely to be inundated by a small paper currency of one shilling and eighteen-penny notes. Surely this was a state of things well worthy the attention of her Majesty's

Ministers. No one could deny that it proved the great scarcity of silver. When he looked to the state of the poor in Norwich, he found that the poor-rates had, for a considerable time, been greatly on the advance. The cases of out-door claimants were increasing every day, and the workhouse was quite full, though the city had been mulcted to the amount of 2,000*l.* monthly for poor-rates only, and yet distress and destitution were daily on the increase. Now, he hoped the Chancellor of the Exchequer would take some effectual means to prevent the sort of issue of paper announced in the Norwich notice of the 27th of June, 1842. He begged leave to ask the Chancellor of the Exchequer, whether he was aware of the scarcity of silver alluded to? and if so, whether any means had been adopted to put an end to it?

The *Chancellor of the Exchequer* had had no information whatever of the circumstance alluded to, until the hon. Member for Finsbury had made his statement. Though he had received communications from different quarters of the country as to the scarcity of silver, he had not received any intimation of the kind from Norwich. The Mint had been for some time at work in order to supply the deficiency of the silver coinage, and Government would take every measure in its power to remedy the inconvenience complained of.

Bill read a second time.

**ELECTION PROCEEDINGS COMMITTEE.]**  
Mr. *Roebuck* presented the following report from the Election Proceedings Committee:—

"The select committee on Election Proceedings have to report, That on their first proceeding to the investigation of the matters referred to them by the House, the committee, after mature consideration of the best mode of carrying on the inquiry in which they were about to engage, unanimously resolved, 'That it was desirable, for the interest of the inquiry and all parties concerned, that no person should be present except the witness under examination.'

"The committee have hitherto been able to carry out in practice the course which to them had seemed so necessary for the due discharge of the duty delegated to them; but the committee having now reason to believe that the right of Members of the House to be present at their proceedings will be insisted on, have unanimously resolved to direct their Chairman to call the attention of the House to the subject, in the hope that on this statement of their unanimous opinion, the course

they have adopted will be sanctioned by the House."

Report read. The question "that the report do lie on the Table,"

Mr. *Roebuck*, on moving said, that he was commanded by the committee to state to the House the course they had pursued, the reasons which had induced them to take that course, and the grounds on which they considered it advisable that they should persist in it, in the hope that after such statement the House would, in the language of the report, "sanction the course which the committee had adopted." In the first place he should state, that in no case had there been on the part of the committee any dispute whatever of the privileges of the House or of its Members. The committee had on no occasion called in question the right of Members to attend their deliberations; but taking into consideration the nature of the investigation they were appointed to conduct, they had thought that they should best discharge the duty which they owed to the House, in consequence of the powers delegated to them, if, whilst they ever considered that their paramount object was to obtain the truth, they yet endeavoured to obtain that truth with the least possible pain to individuals. The committee felt that the House had delegated to them an inquiry for the general interest; that the House had no desire to pain individuals in making that inquiry, but that they only had for their object that the Legislature and the world at large should know the circumstances and extent of certain alleged practices, in order that, by legislative measures, they might put an end to such practices in future. But, whilst this was their end and aim, he repeated that he was sure the House had no other desire than that such an inquiry should be conducted on the broadest possible principles, without any personal pain being inflicted on individuals and without any consideration whatever to party views; and, believing such to be the feeling of the House, the committee had thought that they should be best discharging their duty if, when a witness was called, they were able to receive his evidence without giving him pain, and without the risk of that evidence being published to the public by piecemeal, or being bruited abroad in an unconnected, imperfect, and incomplete form. Now he had assumed that it was the purpose of the House not to inflict personal

pain, and the consideration with the committee was, how could that object be best obtained? Was it best that the doors of the committee-room should be thrown open, and that, day by day, the evidence, with all its imperfections, should be given to the public in the newspapers? He knew it would be said that no Member of that House was likely to afford much information to the public prints, and he agreed that no one in the House would, with aforethought, communicate to anybody, out of doors, what ought not to be published. But yet they had no safeguard that, day by day, there would not be a publication of minutes of their proceedings; that some information would not escape, which it might have been as well for all parties to keep undiscovered. Now, the course the committee had taken to prevent this occurrence, he would state to the House precisely as circumstances had occurred. On the first day of the proceedings they had thought right to call before them the hon. Member for Harwich (Major Beresford). He would state to the House what had occurred, from the minutes made by their Clerk. ["No, no."] Well, then, he would state, from his own recollection, the substance of what had passed. ["No, no."] Very well; it being the opinion of the House that he should not refer to the proceedings, he would shape his communication accordingly. A difficulty having arisen, in consequence of an hon. Member having asked to be admitted—" [Order, order."] Why, in what was he out of order?

Mr. B. Escott rose to order. He apprehended that it was the rule of the House that no hon. Member had any right to state what had occurred before a committee, until that committee had made its report.

The *Speaker* said, the view taken by the hon. Gentleman was accurate. The hon. and learned Member for Bath must not allude to proceedings before a committee until that committee had first made its report to the House.

Mr. Rosbuck would, in that case, assume what might have occurred before the committee. This was no trifling case, and he hoped they would interpose no difficulty to prevent the House arriving at a proper conclusion, but that they would rather give every support in their power to those to whom they had delegated a very invidious office. Now, let them suppose

this difficulty to arise—let them suppose that they felt it necessary to explain to an hon. Member the course they thought it desirable to pursue. They could not do that without stating that they thought to infringe a privilege of the House. They were very desirous not to fall into that difficulty, and it was with a view to guard themselves against it that they implored the House to sanction their request. Now if, in the performance of their duty, they should think fit to determine that their Chairman should request of any Member who entered the room to listen to the request of the committee, and not to press upon them the invidious office of examining a witness in his presence, and also that the Chairman should state that this was the unanimous request of the Committee (and here he begged to remark that, although the committee was composed of Members of both political parties, there had not, since they met, been one difference of opinion among them on any point whatever, and that upon the point now under discussion they were completely unanimous)—supposing, he said, that the committee, through their Chairman, should feel it necessary to make such a request, and that the Member to whom it was addressed should not think right to comply with it, what, he would ask, in the event of such an occurrence, was the committee to do? In every case which had already occurred, the Members to whom such a communication had been made had, of their own accord, politely yielded to the views of the committee, and retired from the room; but the committee had, nevertheless, good reason to know that they could not enforce any rule for exclusion which they might consider it necessary to lay down. Now, if any hon. Member thought exclusion a hardship, he might, possibly, soften his feelings on the matter a little, by stating the fact that the committee had already nearly got through their inquiry, and that, without having recourse to any expedient, they might, in conformity with the rules and orders of the House, almost altogether exclude Members from being present in their room. But the committee were anxious that their inquiry should be conducted properly and fairly to all parties, and that they should be free from irregular interruptions until their report was made to that House; and when that report was made they would challenge the most rigid

criticism, and if any one found that, either in the inquiry itself, in the mode of conducting it, or in the character of the report, there was anything with which fault could be fairly found, he would submit himself to all the odium thereby incurred. But he did beg them to recollect that the House had placed confidence in the committee hitherto, and that, such confidence having been given to them, they ought to have the forbearance of individual Members. Nothing more than such forbearance was, he could assure the House, desired; and having said so much as to the report, he would now go one step further. There was on the paper a notice of motion to be made by the hon. Member for Oxford University. That motion went to provide for the admission to the committee-room of all the parties in any way implicated in the inquiry. Now, in point of fact, all parties interested would be admitted, each separately, to give his account of the transactions with which his name was mixed up. Each party would be informed of all that was said concerning him, and would be allowed to make his answer thereto, and all they (the committee) now asked of the House was, that the parties might be allowed to make that answer in the mode the least painful to themselves. He was quite sure, if it had happened to any Member of that House to be examined before the committee, that that Member would state without hesitation that there was nothing, either in the mode of his examination or in the character of the questions put, to which he could possibly take any objection. Therefore he would ask why was this exceeding desire shown to interrupt the deliberations of the committee? If they had not been harassed by such interruptions they would have finished their inquiries by next Saturday; as it was, they would not now bring their deliberations to a close until about next Wednesday. And what, let him ask, was the House to gain by such a proceeding? Every word said before the committee would be laid before the House, and surely, when they had that evidence before them, that would be time enough to make complaint. The committee felt that they should be very much crippled in the course of their inquiry if the House refused to sanction their regulations; and with regard to the admission of the public generally to the room, he would only fur-

ther suggest that if they were admitted it would be almost a necessary consequence that witnesses should be submitted to a strict cross examination. That might be a very agreeable process for some witnesses as it might be very disagreeable to others, but this inquiry was, he apprehended, not one in which cross-examination could be properly taken. It was desired to find out the course pursued in certain individual cases as examples and elucidations of a general plan, and they had nothing to do with cross-examinations. Further, let him ask, would it not be extremely painful to witnesses to be subjected to such examination before such a tribunal sitting with open doors; to have garbled statements of their evidence go forth to the public; to have every little fact and circumstance that passed bruited about, often misunderstood, and of consequence often misrepresented? On the other hand, if these proceedings were conducted privately and quietly, they might hope that everything would pass off without pain or annoyance to individuals, and that there would be no one marked out for scorn to point its finger at. Therefore he felt most anxious that they should sanction the rules of the committee, and so far continue to repose confidence in their proper performance of their duties as to wait until they laid their report upon the Table, when he would give them leave to find fault, if they could, with as much sharpness as they pleased.

Major Beresford said, that as the hon. Member for Bath had referred to him as a Member who had been examined before this committee, he had no hesitation in saying, that the demeanour of the Members of that committee, when he was examined before it, was everything that was kind, courteous, and gentlemanlike. But, at the same time, he must also say, that he most decidedly appealed against the constitution of that committee. He impugned the system on which it conducted its examination altogether, and he impugned also the secrecy with which those examinations were conducted. It was not because he wished to shrink from anything that he had done that he made this appeal, but, on the contrary, a public accusation having been made against him, he courted, and he felt that he had a right to demand, a public investigation. If he was accused of anything which was wrong, he desired that he should be tried on that accusation in consistence

with the principles of the British Constitution—in consistence with the judicial modes of inquiry prevailing in the land; and not in darkness and secrecy, but in the face of day, and under the eyes of the whole world. This inquiry bore no resemblance to a judicial investigation, nor to any other investigation that he ever heard of, except the investigation by the Star Chamber, in the very apartment of which, by a singular coincidence, the committee held its meetings. It was an appropriate place for a committee, which sought to conduct its inquiries in secret, and seemed afraid of encountering the light of day. It was said, that no man was accused before this committee—that it was only a committee of inquiry; but he had referred back to the speeches made at the commencement of their proceedings in the early part of May, and he found the hon. Member for Bath saying—["Order."]

The *Speaker*: The hon. Member must not read from any report of words used by an hon. Member in a former debate.

Major *Beresford* knew that the result of these proceedings entailed no pains or penalties on any Member, but what, let him ask, was to indemnify him for the pains or penalties of mental anxiety? How was he to be indemnified for being kept mentally brooding upon charges made against him before a secret tribunal, supported by witnesses whom he did not know, all of whom underwent secret examinations, whom he had no means of confounding by putting personal questions to, and whose statements might have an effect on the minds of the committee, which he had no opportunity of removing? What was to compensate him for the harassing anxieties he experienced in waiting for weeks for the judgment of this secret committee, who, of course, took their own time to make their report? He said, that to lay him under such anxieties was not only inflicting a hardship, but was laying him under pains and penalties in the shape of grievous mental punishment. He protested against such a system. It was contrary to every principle of our law. Every court of judicature in the land laid down, that the evidence of an accusing witness should be given before the party he accused. When a man was before a magistrate, the charge against him was openly made, openly heard, and openly decided. When he was in a court of criminal law, he was placed where he could see every witness,

and could hear all that they said; he was allowed the use of counsel to aid his cause, and the publicity of the proceedings enabled the world to form their opinion of the fairness of his judges. Even a foreigner was entitled to these privileges—even an alien exercised these rights; and were they to deprive an elected Member of the Commons of England, or a candidate for the honour of such a position, of rights which they extended to all the world besides? He entered a solemn protest against any such treatment. If public inquiry would inflict personal pain, the pain inflicted of secrecy was tenfold greater, and as for the ridiculous pretence that any one would garble the reports—was it likely, he would ask, that any man would go forth from the committee and give garbled statements of his own evidence? The public feeling was against the inquiry, and he did hope that the House would not further oppose it by giving the committee such an uncontrolled authority as that they sought—a power the very demand for which made one fancy that we must be living in the times when Speaker Lenthall occupied the Chair, instead of in days when, according to a popular saying, every man was innocent until he was convicted.

Colonel *Sibthorp* rose to move an amendment, and said, that though the hon. and learned Chairman stated that the committee was influenced by no desire of individual punishment, he would like to ask what must have been the feelings of an hon. Gentleman, formerly a Member of that House, when summoned to attend at their Bar? It was true, he had left the Bar with honour to himself, but how was he to know what oppressive results might follow from an exercise of the pleasure or the power of the House? Much had been said of the courtesy of the committee, but what was the notice which the hon. and learned Member for Bath had upon the paper of the day? There was no great courtesy in excluding Members of that House from the committee, as those Members had a perfect right, as Members, to know what the proceedings were which were taking place before the committee. He felt bound to protest against the committee, as usurping the rights and privileges of the House, and as attacking persons on the allegations of a few individuals who were, perhaps, influenced by feelings of disappointment. He felt hurt that the right hon. Baronet at the head of the Go-



vernment, who always stood up in his place to defend the liberty of the subject, of which that House ought to be the guardian—he felt hurt, he repeated, that the right hon. Baronet could for a moment be induced to assent to the appointment of this committee; but it was to be hoped that the right hon. Baronet, upon more cool and mature reflection, regretted the part he had taken in the transaction. The committee was one of a novel character and utterly unknown to a free country. For his own part, no secret tribunal of the kind should ever compel him to give evidence; and he hoped that the House, which was bound to protect the liberty of the subject, would never allow penalties to be inflicted by means of secret assassination. He would move that the order for appointing the select committee on Election Proceedings be discharged, and he would take the sense of the House on his motion.

Lord J. Russell wished to say a few words on the course which had been pursued by the hon. Member for Bath. He understood the hon. and learned Gentleman to say, that the committee were of opinion that they could best exercise the power intrusted to them by the House for the advantage of the public and of all others concerned in the inquiry, by continuing the course in the same manner as it had hitherto been conducted. He having every reason to repose confidence in the committee as selected by that House with due deliberation, and as it was well constituted, thought it highly advisable to attend to its suggestions. If, however, the hon. and learned Member for Bath had proposed the motion which appeared upon the paper, he could not give his assent to the hon. and learned Gentleman's proposition. Though Members of that House might exercise a sound discretion in not attending upon the committee, or being present at its proceedings, it would not be proper to interfere with the right they now had of being present, if they chose to insist upon that right. In general, he considered that it would be better if Members abstained from the exercise of any idle curiosity respecting the proceedings before the committee, and waited until the report was made in the due and regular manner. As regarded such Members of the House as were personally interested in the inquiry, even though no charge was made against them,

or though they ought not to be subjected to investigation by the committee, seeing that their characters might be affected by the result, though he still thought the more proper course ought to be to refrain from attending, yet if one or more Members of the House said that they felt it due to their character not only to hear the evidence, but also to observe the manner of those who gave it, he for one should not vote in favour of a motion by which such Members should be excluded. He was glad to hear it stated by the hon. Member for Bath that the labours of the committee had come nearly to a close, and as such was the case, though no regular motion to the effect had been made, it was still to be hoped, that in accordance with the wish of a committee in whose proceedings the House had every reason to repose confidence, hon. Members would exhibit a disposition to abstain from attendance. The committee was constituted of men belonging to various parties in the House, whose wish it was to act with justice towards all concerned in the inquiry. They must have deliberately weighed the course which it was best to pursue with respect to the inquiry which they were appointed to make; and if in their opinion it was better that hon. Members should abstain from attendance, he hoped that opinion would be acted on by the House, though he could not consent to any positive vote for the exclusion of Members. It was not to be wondered at that the hon. and gallant Colonel should wish to have the order discharged, as he was in the first instance opposed to the appointment of the committee, but the proper time of resistance had passed. He was glad to hear it stated that the committee had no purpose to pursue the inquiry with a view to individual punishment, for that was the only course by which any public benefit would result from the investigation.

Sir R. Peel could assure the hon. and gallant Colonel that he had not assented unadvisedly or in haste to the motion for a committee, nor did he now repent of the vote which he had formerly given in favour of an inquiry, and he doubted very much whether it would tend to maintain the influence or authority of that House if it had decided to resist the motion for investigation. In his opinion it would be better, as respected the motion of the hon. and gallant Gentleman, that on this as well as

on other occasions where a committee was proposed to be appointed the objections should be urged at the time when the proposition was made. It was true that objections were made in the first instance to the appointment of the committee, but not to the extent that they were now carried. He had supported the present committee on the same principle that he had supported other inquiries of a similar nature. After the inquiry before election committees in the cases of Yarmouth and Stafford, he had not thought the House was precluded because of the failures before these committees from instituting other inquiries. Neither had he thought that the failure of the investigation before the York and Liverpool election committees precluded the House from entering upon more general inquiries. At the same time, when on a former occasion he stated this to be his opinion, he also added, that it would not be fair to make such inquiries the means of selecting particular individuals and holding them up to public odium. It would have been impossible for him, knowing as he did what had been the practice of other parties on other occasions of a similar nature, to consent that the persons implicated in the present inquiry should be held up to public exposure. These were the opinions which he expressed when he consented to the appointment of the committee: these opinions he yet entertained, and he was glad to find that the committee was influenced by the same feeling—that they had no desire to act upon any personal vindictive feeling, but carried on the inquiry merely with a view to elicit such facts as would best enable them to legislate in devising a remedy. The committee acted most prudently and most wisely in directing the investigation to that end. He could not, however, conceive what would be the practical effect of the course proposed by the hon. and learned Member for Bath. It appeared to him that there was no other alternative than to leave the committee in possession of the power which it at present possessed, or to make it a secret tribunal altogether, and exclude Members as well as strangers. If hon. Members claimed the exercise of their right to be present on the ground of their being Members of the House, it should be left to their discretion; but he thought that it would be objectionable at this stage of the proceedings to place the committee upon a new footing. He

thought it better on the whole to adhere to the general principle by which those tribunals were governed, and to leave to the committee its present power, recommending it to individual Members of the House to use their privilege with discretion, than by any particular sanction to vest a new power in the committee, and on those grounds he hoped the hon. and learned Gentleman would not press for such a power. If there were no alternative, and that hon. Gentleman were determined to persist in their right as Members of that House, it would be less inconvenient to recognise it than to grant new power to the committee at this stage of the inquiry.

Sir R. Inglis was of opinion that nothing could be more unseemly than for the House to enter into a discussion that the report do lie upon the Table, for where would be the practical result? As the right hon. Baronet had stated, it would leave the same discretion to the committee that it possessed; unless the hon. and learned Member for Bath made his appeal for something further, how could he justify the limiting of his motion to the question that the report do lie upon the Table? With respect to the exclusion of reporters, it should be remembered, that when reporters were excluded hon. Gentlemen gratuitously took up the office, and said they would not be bound by any decision of the committee, but would exercise their memory, and convey the intelligence through the ordinary channels of information. The hon. and learned Gentleman was much too charitable then in his opinions, when he seemed to think that hon. Members would forbear to exercise their right to be present. His proposition with respect to the committee was that all persons should possess the right of attending, as in any court of justice. The whole question resolved itself into this—was the committee a court of justice? Election committees were admitted by all to be courts of justice. That was a point which no person denied. They had the power to compel witnesses to attend, and to insist upon the production of papers; and this was a power vested in them, not by the House of Commons alone, but by the whole of the Legislature; and if the present committee assimilated to a court of justice, accused parties had a right to be present, and to witness the proceedings which took place.

The hon. Member for Bath assumed a different tone in the present debate from that which characterized his speech on a former occasion. The hon. and learned Member had said, that this was not a committee formed for the purpose of preferring accusations, but had not the hon. and learned Member on a former occasion said,—

"I charge the right hon. Baronet the Member for Nottingham with such transactions—I charge the hon. Member for Harwich with such transactions—I charge the hon. Member for Penryn with such transactions?"

He called the attention of the House to the word "charge." When a Member of that House said he would "fix and crucify before the people," any person guilty of such proceedings, he begged to ask if that was not making a charge? If that were so, then he contended that individuals under such circumstances were entitled, by the principles of the law of England, to know who their accusers might be, to know who were the witnesses brought forward against them, and to be present at the examination of such witnesses. He went further, and said that, being themselves probably unprofessional men, pleading before a tribunal the Chairman of which was a member of the honourable and learned profession of the law, they had a right to be assisted by professional advocates. It was vain to refer to such tribunals as a grand jury or a military court of inquiry, which was not at all analogous to the present committee. What he wished the House to observe was this, that in the present instance they had only the assertion of the hon. Member himself, on which these proceedings were founded. The hon. Member summoned certain individuals in that House to plead to his charge. Some of them chose to answer, some chose to stand mute; but in either case the hon. and learned Member compelled them, or if he objected to that expression, the House itself compelled them, to stand their trial. He said, therefore, that the hon. Member having induced the House to consent to the institution of such a tribunal, was, himself, bound, in common justice, to give to the parties, if they desired it, the benefit of that concession which would not be withheld from them in any other court in the kingdom—namely, that of being present when their accuser came forward, and hearing what his statement was, in order

that they might confront the witness who alleged anything against them with another witness whom they might call on their own part, and, generally, of being defended by all those sanctions of law with which the tribunals of England sheltered any other accused person, in order that this court might not be made the only one in England in which a person was deprived of all those means of proving his innocence, and resisting a sentence of condemnation, which would be granted to him in any other court in England.

Mr. *Shaw* said, the object of the hon. and learned Member for Bath's proposition to the House was, that they should sanction the manner in which the committee thought fit to conduct their proceedings, in silence and mystery. That was what had induced him to rise on this occasion, for, if even silence on his part should be considered as an assent to that proposition, he was not prepared to remain silent. So long as the committee appointed by the House exercised their own discretion, without any interference from the House, he should not have thought it necessary to protest against their proceedings; but if they asked for the sanction of the House to them, then it became necessary for every Member to say whether he was willing or not to afford his sanction. He was not willing to do so; he had not heard a single argument for the secrecy of their proceedings. The hon. and learned Member for Bath said the object of the committee was to elicit truth. He said that ought to be its object, but the principles of English jurisprudence must be very different from the notions he had always entertained of them if it were a principle that truth was to be elicited by means of secrecy and shrouding themselves in darkness. It was not enough that the accused person should have the proceedings of the committee communicated to him as a favour by the Chairman, or a Member of the committee; he ought to know who were the persons preferring and supporting the accusations against him, in what manner they gave their evidence, and, above all, he ought to have the opportunity of cross-examining them, and conducting his defence in the manner due to himself; he thought publicity was, of all other things, the best guardian of justice. He believed that no positive enactment or law would so satisfactorily secure the due administration of justice as

its being open to the public. No doubt the custom had its inconvenience,—every court of justice felt more or less inconvenience in its proceedings from this regulation,—but no man who understood the spirit of our law could for a moment doubt that the balance of advantage was in favour of publicity.

Mr. *Roebuck*, after the expression of opinion from the noble Lord and from the right hon. Baronet, and after the feeling expressed generally by the House, was sure he spoke the feeling of the committee when he said that they would not press the point of exclusion further. They would leave it to individual discretion, to the good taste and feeling of Members. They thought that by doing so they would best discharge their duty to the House in the present state of the question.

Mr. *B. Escott* asked if the hon. and learned Member could state any tribunal in which English justice was administered where persons were accused and tried in their absence? It had been said that this was not an accusatory proceeding at all. Was he to be told that, after what he had heard in that House, that the right hon. Baronet the present Member for Nottingham, that Sir G. Larpent, who was a candidate at the late election for Nottingham, that his hon. Friend the Member for Bridport, that the hon. Gentleman opposite, the Member for Bridport, and others, were accused of nothing? If they were accused of nothing, what was this committee to inquire into? It was stated that the committee sat to purify the House. If it sat to purify the House, it sat to purify it from something wrong, from something corrupt. Was that not an accusation? But he would not refer to the debate in which the hon. and learned Member for Bath spoke so strongly on this subject, he would refer to the order of the House appointing the committee. In that order occurred the expression "corrupt compromises." Was that no accusation? And if it were an accusation, he asked again, how could the proceedings be fairly conducted unless the parties charged were present to hear the charges brought against them? At the commencement of this proceeding he had thought the hon. and learned Gentleman in the right. If the question had come to a vote, he was prepared to say that he would have voted for this committee. He had not objected to the committee itself, though he did not approve of the questions which the hon.

and learned Member had put. His objections commenced at the point when the committee began to act contrary to the principles of law and right. These were the reasons for which he should vote against the hon. and learned Member.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes, 177; Noes, 45: Majority, 132.

#### List of the AYES.

Acland, Sir T. D.	Fielden, J.
Acland, T. D.	Flower, Sir J.
Ainsworth, P.	Forster, M.
Bailey, J., jun.	Fremantle, Sir T.
Baird, W.	Gaskell, J. Milnes
Baring, hon. W. B.	Gladstone, rt. hn. W. E.
Barnard, E. G.	Gordon, Lord F.
Barron, Sir H. W.	Gore, M.
Bentinck, Lord G.	Goulburn, rt. hn. H.
Berkeley, hon. C.	Graham, rt. hn. Sir J.
Berkeley, hon. Capt.	Greenall, P.
Berkeley, hon. H. F.	Greenaway, C.
Bernal, R.	Greene, T.
Blackburne, J. I.	Grey, rt. hon. Sir G.
Bowes, J.	Guest, Sir J.
Bramston, T. W.	Hamilton, W. J.
Broadley, H.	Hampden, R.
Brotherton, J.	Hanmer, Sir J.
Browne, hon. W.	Heathcoat, J.
Bryan, G.	Heneage, E.
Busfield, W.	Hepburn, Sir T. B.
Butler, hon. Col.	Hervey, Lord A.
Byng, rt. hon. G. S.	Hill, Lord M.
Cavendish, hon. C. C.	Hindley, C.
Chapman, A.	Hodgson, F.
Chapman, B.	Hodgson, R.
Childers, J. W.	Houldsworth, T.
Clements, Visct.	Howard, hn. C. W. G.
Clerk, Sir G.	Howard, Lord
Clive, E. B.	Howard, hn. E. G. G.
Cobden, R.	Howard, P. H.
Courtenay, Lord	Howard, hon. H.
Craig, W. G.	Hume, J.
Crawford, W. S.	Hutt, W.
Cripps, W.	Irving, J.
Dalrymple, Capt.	James, Sir W. C.
Dickinson, F. H.	Jocelyn, Visct.
Divett, E.	Jolliffe, Sir W. G. H.
Douglas, Sir C. E.	Ker, D. S.
Duff, J.	Labouchere, rt. hn. H.
Dugdale, W. S.	Lambton, H.
Duncan, G.	Lascelles, hon: W. S.
Duncombe, T.	Layard, Capt.
Duncombe, hon. O.	Legh, G. C.
Dundas, D.	Lennox, Lord A.
East, J. B.	Liddell, hon. H. T.
Easthope, Sir J.	Lincoln, Earl of
Ebrington Visct.	Lindsay, H. H.
Egerton, Sir P.	Lowther, J. H.
Ellice, rt. hon. E.	Macaulay, rt. hn. T. B.
Ellice, E.	Mackenzie, W. F.
Eliot, Lord	Mackinnon, W. A.
Elphinstone, H.	Mc. Taggart, Sir J.
Ferguson, Col.	Marsland, H.

Martin, J.	Sheil, rt. hon. R. L.
Marton, G.	Sheppard, T.
Masterman, J.	Shirley, E. J.
Meynell, Capt.	Smith, rt. hon. R. V.
Miles, W.	Somers, J. P.
Milnes, R. M.	Somerville, Sir W. M.
Mitchell, T. A.	Stanley, Lord
Morris, D.	Stansfield, W. R. C.
Murphy, F. S.	Stuart, Lord J.
Napier, Sir C.	Stuart, H.
Nicholl, rt. hon. J.	Stock, Mr. Serj.
Norreys, Sir D. J.	Strutt, E.
O'Brien, J.	Sutton, hon. H. M.
O'Connell, D.	Thornley, T.
O'Connell, M. J.	Troubridge, Sir E. T.
O'Connell, J.	Tufnell, H.
Ogle, S. C. H.	Turner, E.
Packe, C. W.	Vernon, G. H.
Palmer, R.	Vesey, hon. T.
Parker, J.	Vivian, hon. Capt.
Patten, J. W.	Walker, R.
Peel, rt. hon. Sir R.	Wall, C. B.
Pendarves, E. W. W.	Wallace, R.
Phillips, G. R.	Wawn, J. T.
Plumridge, Capt.	White, H.
Plumptre, J. P.	Williams, W.
Ponsonby, hon. J. G.	Wodehouse, E.
Pringle, A.	Wood, C.
Protheroe, E.	Worsley, Lord
Pusey, P.	Wortley, hon. J. S.
Redington, T. N.	Yorke, hon. E. T.
Rolleston, Col.	Yorke, H. R.
Rundle, J.	Young, J.
Russell, Lord J.	TELLERS.
Seale, Sir J. H.	Hawes, B.
Shaw, rt. hon. F.	Roebuck, J. A.

*List of the NOES.*

Allix, J. P.	Hornby, J.
Antrobus, E.	Hussey, T.
Archdall, Capt.	Ingestre, Visct.
Arkwright, G.	Inglis, Sir R. H.
Bateson, Sir R.	McGeachy, F. A.
Borthwick, P.	Manners, Lord J.
Broadwood, H.	Marsham, Visct.
Burrell, Sir C. M.	Neeld, J.
Colville, C. R.	Neville, R.
Darby, G.	Northland, Visct.
Disraeli, B.	Pollington, Visct.
Douglas, J. D. S.	Pulsford, R.
Eaton, R. J.	Rushbrooke, Col.
Ferrand, W. B.	Russell, J. D. W.
Ffolliott, J.	Stewart, J.
Forester, hon. G. C. W.	Taylor, T. E.
Fuller, A. E.	Trevor, hon. G. R.
Gladstone, T.	Tyrell, Sir J. T.
Glynne, Sir S. R.	Verner, Col.
Gore, W. O.	Williams, T. P.
Goring, C.	Wynn, Sir W. W.
Grimsditch, T.	TELLERS.
Grogan, E.	Escott, B.
Henley, J. W.	Sibthorp, Col.

MR. COCHRANE.—EVIDENCE GIVEN BY MEMBERS.] Mr. Roebuck moved

"That Alexander Bailie Cochrane, Esq.,

one of the Members for Bridport, do attend before the select committee on Election Proceedings, and give evidence, on Monday next."

Mr. *Bailie Cochrane* regretted exceedingly that he should be again called on to address the House relative to the borough he represented; at the same time he could not apologize for trespassing on the time of the House, as the necessity did not arise from any fault of his. If the right hon. Baronet at the head of the Government, and if the Government generally had not sanctioned the proceedings of the hon. Member for Bath—if they had not allowed this committee to be appointed, and he thought it to be the feeling of the House that it had been most improperly appointed—he should not now be compelled to occupy the attention of the House. In the first instance, the questions which the hon. Member for Bath had asked in that House ought never to have been put, and he appealed to the Speaker to say whether they ought to have been answered? He repeated, that the position he was now obliged to occupy in that House, in replying to the motion of the hon. Member for Bath, arose not from any fault of his own, but from the fault of the House in originally granting this committee. He would remind the House of the circumstances of the case as related to himself. A petition had been presented to the House from Mr. Warburton, containing charges against him. He then made at the time a full statement of facts, and he took advantage of the present opportunity of declaring, that notwithstanding some contradictions which had appeared in the newspapers, every particular he then stated was perfectly true. He had answered all the charges against him, but at the same time he expressed a wish that the matter should be referred to this committee; not that he expected that he should ever be called before it. His reason for desiring the affair to be referred to the committee was, because he feared the special pleading of the hon. Member for Worcester would not be sufficient to clear Mr. Warburton, and therefore he was willing that Mr. Warburton should have an opportunity of appearing before the committee, and of refuting any charge which he might think was falsely made against him. He repeated, that he had not expected to be examined. He had no wish, like Mr.

Warburton, to become common informer with respect to the borough he represented. He did not think he was justified in laying before the House or the committee any circumstances of which he had cognizance respecting that borough; but there was a particular reason why he had not acceded to the request of the hon. Member for Bath to appear before the committee, and one which the House, when they were informed of it, would certainly pay attention to, and deem reasonable. It was one personally relating to himself. There had been indictments pending against him in Dorsetshire ever since he had taken his seat for the borough he now represented. It was not certain on what day these indictments would be brought forward; but he believed, that they would not be proceeded with. Now, he asked, how could he, situated as he was, appear before the committee to make statements which might by possibility inculpate himself, every Member of the committee having the power to send a written account of those statements down to Dorsetshire? He asked, was it just to compel him to make statements of this kind? He could not agree in thinking, that the hon. Member for Bath was conducting the proceedings of the committee in a very impartial manner. He now asked the hon. Member for Bath whether he had examined Mr. Warburton and his agent? No; the hon. Member kept these back to the last; so that he would have no opportunity of refuting any charge made against him. He had been ordered to attend to-day, and again asked whether it was not true that Mr. Warburton was not ordered to attend? Was it not the hon. Member's intention to examine him and his hon. Colleague previous to examining Mr. Warburton? [Mr. Roebuck: It was.] He again informed the House, that the particular ground on which he objected to appear before the committee, was, that there were indictments pending against him, and he thought the House would admit, that that was a just ground of objection. It might be possible, that in consequence of his statements before the committee being made known, the indictments would be pressed against him, and was it fair that the House should place him in such a situation. But, if this objection was not thought sufficient, there were other objections of a public character. There were circumstances of a most un-

paralleled nature connected with this committee. In the first place, it was not sworn; in the second, it was secret; in the third, the parties charged were not confronted with their accusers; and in the fourth, the accused had no opportunity of challenging the jury. These were circumstances unheard of in the annals of England. He was surprised, that the noble Lord, the Member for London, should join in these proceedings; for, on referring to a work written by that noble Lord a long time ago, he found a passage on civil liberty, of which he should take the liberty of reminding the noble Lord. The noble Lord enumerated several of the advantages enjoyed in England, and mentioned as a great security, more valuable perhaps than any other, that the trials took place in public, and the accused was brought face to face with his accuser before the country. If he were to go before the committee, how should he know what Mr. Warburton had already stated or might state hereafter? How should he know that he was not criminating himself in every word? He had now stated the reasons why he objected to attend before the committee, and having done so, he should leave the matter in the hands of the House. If the House decided that he was to attend this committee, he should bow to the decision of the House; not but that he was perfectly aware that, by not attending the committee, he should be advocating what he considered a right and great principle; but because he thought that, if he refused to obey the decisions of the House, he should be sacrificing a still greater principle—his duty to the House. Still, he would say this openly in the face of the House, and in spite of any consequences that might result to himself from the determination to which he had come, that he should firmly, but respectfully, decline to produce any documents, or to answer any single question which might in any shadow of a degree compromise, or tend to cast a slur on the character of any one person in the borough which he had the honour to represent. He would bow to the authority of the House in attending the committee, but he considered no command superior to a point of honour in a man's own breast, and no human authority could sanction the violation of the confidence which had been reposed in him.

Mr. Roebuck understood the hon. Mem-

ber to object to the course proposed to be taken in the investigation of the case of the borough he represented. The committee desired, as far as possible, to consult the convenience of Members of that House, and with this view had generally asked them to attend first; but as the hon. Member objected to this mode of proceeding, he might venture to undertake that Mr. Warburton should be examined, not only previous to him, but before his very face.

*Mr. Mitchell* was understood to protest against the principle on which the inquiry was conducted. There were persons charged before the committee who were not Members of that House, and who had no opportunity of rebutting the allegations made against them. The first time they would hear of the serious charges against them would be only when the hon. Member for Bath brought up the report of the committee, and then they would have no opportunity of clearing themselves. For himself, he should be most happy, in obedience to the Order of the House, to state fully all that related to himself; but he would say nothing which might affect, either criminally or morally, another party.

*Mr. Liddell* said, that after the statement made by the hon. Member for Bridport, that there were certain indictments pending against him which might compromise his character and pocket, and that possibly the evidence he should be called on to give before the committee might have a tendency to criminate him, he did not think that the hon. Member ought in fairness to be called on to give evidence before the committee so long as those indictments were pending. Let them either be tried or abandoned, and then the hon. Member's evidence might be proceeded with before the committee. As an independent Member of the House he was anxious to see justice done to all parties, and he could not consent that any Member in the position of the hon. Member for Bridport should be called on to give evidence which might tend to criminate himself, and thereby induce parties to follow up the indictments. He should suggest that the hon. Member's attendance be dispensed with while the indictments were pending.

*Sir R. Peel* said, he certainly must have misunderstood the speech of the hon. Member for Bridport on a former occasion,

for he had been of opinion that the hon. Member had expressed his anxiety that he should have a full opportunity of repelling the reflection cast on him, and his hope that the case of Bridport would be referred to the committee. Of course, on being referred to the committee it became subject to the same principles as those by which the whole inquiry was conducted; and he could not help thinking, considering the very natural and honourable wish entertained by gentlemen conscious of their innocence, that the House should grant the committee of inquiry, that if he had opposed any obstacle, he should have been told that he allowed charges to be made and when inquiry was challenged he was the person who prevented it. The hon. Member for Bridport had desired that the case of that borough should be referred, like the cases of other boroughs, to the committee, and he did not understand that Mr. Warburton was to be examined and that the hon. Member was not to be examined. With respect to the position in which the hon. Gentleman stated he was placed, he thought that his objection to be examined on account of pending suits should be stated before the committee, for the House had decided, in the case of Mr. Fleming, that that was the proper tribunal to take cognizance of the objection. But there was an important point to which he thought he ought to call the attention of the House, because it was exceedingly inconvenient to establish any new precedent without mature consideration. The point had not been alluded to by any other hon. Member, but on looking at the journals he was not aware that there was an instance of the House compelling the attendance of a Member before a committee to give evidence. There were instances of applications to the House, on the part of committees, in order that Members might be compelled to attend before them; but it seemed doubtful whether these applications had been complied with. As this then was an important constitutional question, it would be unwise in the House to make any peremptory Order without consideration; and he appealed to the high authority of the Chair to know what the Speaker considered to be the usage of the House of Commons with respect to Members attending committees.

The *Speaker* said, that he had searched the Journals within the last two or three

days, and had not as yet discovered any instance where an order had been made on a Member of the House to give evidence before a select committee. He had found a case, where a committee of grievances reported that a Member had refused to attend them, and the House then resolved, that in all cases where Members refuse to attend select committees when required to do so, the committee should report the name of the Member to the House; but no further proceedings were taken in that case. In 1790, a case occurred which he thought it right to mention. A committee was about to be appointed on the slave-trade, and it was intimated to the House that one of its Members, Major-general Rooke, could give important information on that subject, and the House thereupon ordered, that it be an instruction to the said committee, that they should take the examination of Major-general Rooke if he should think fit to be so examined. In 1782 another case occurred. A Member of the House (Mr. Barwell) was examined before a committee appointed on the administration of justice in Bengal, but refused to give satisfactory answers to certain questions which the committee had put to him. The committee reported the facts to the House, and informed the House, that the committee were under the necessity to examine Mr. Barwell; and Mr. Barwell being in his place, got up and consented to attend the committee, and be examined, but in no case could he find that the House had made a peremptory order on a Member of the House to give evidence before a committee against his own determination.

Sir *R. Peel* thought, under these circumstances it would be desirable, before coming to a decision, for the House to take a little time to search into the precedents. Perhaps the hon. Member himself would relieve the House, by assenting to attend before the committee, from the necessity of making the immediate inquiry on this point, which might last as long as the investigation of the committee before whom he was summoned to attend.

Lord *J. Manners* said, from what had now fallen from the Chair, he thought very grave doubts must arise in the minds of every hon. Member present as to whether the motion of the hon. and learned Member ought, with regard to the precedents, to be followed. The case of Sir

G. Rooke appeared to be a case in point. The House then decided that they had no power to compel Sir G. Rooke to be examined to anything he might object to. If, then, the hon. and learned Member had worded his motion with regard to that precedent, he apprehended that there would have been no objection to it. But as he merely moved that the hon. Member for Bridport attend this committee and give evidence without the qualifying clause he thought there would be no difficulty in the House to coming to a negative decision upon it.

Mr. *O'Connell* said, if he understood rightly, there was no precedent of the House sanctioning the refusal of a Member to attend a committee, and there was no precedent of the House compelling any Member to attend; but there was on the other hand, no precedent which should make them negative this motion. Some course, therefore, ought to be taken to leave this question at large without prejudice.

Mr. *Smythe* said, that the right hon. Gentleman who had just spoken, said there was no precedent for sanctioning and affirming the refusal of a Member to attend; but in one of the cases mentioned by the Chair, Mr. Barwell was summoned to attend the committee in relation to Indian affairs, and he had been connected with the rule of India during the Government of Mr. Warren Hastings there, and if upon such an occasion as that the House did not consider it sufficiently important to decide, he thought that on an occasion of so little importance as the Bridport election, which the noble Lord the Secretary for the Colonies said was not to be followed up by pains and penalties, they would not sanction this motion.

Lord *J. Russell* said, that if the House negatived this motion, it would imply that they had not the power to order the attendance of one of its Members. The precedents he had no doubt, were as had been stated by the Chair; but as there might be a doubt as to the power of the House if they thought fit to exercise it, if there was no precedent to make the order, he thought the House ought not to take any course without grave and serious consideration. He therefore should propose that if the hon. Gentleman was not ready to relieve the House of the difficulty by saying he was ready to be examined, the debate should be adjourned.



Lord Pollington said, that if the committee wished to summon before them a Peer of the other House, a special application must be made to that House, and that Peer would be ordered to attend if he thought fit. Now, he saw no reason why a Member of the House of Commons should be placed in a worse position than a Peer of Parliament.

Mr. Darby should not vote against the motion if it were pressed; but thought it better that the hon. and learned Member for Bath should withdraw his motion, and a committee be appointed to inquire into precedents. With respect to the proceedings of the committee, he certainly must object to the evidence being printed when their proceedings closed, for that evidence might effect the characters of persons who would have had no opportunity of examining or cross-examining witnesses to rebut the charges against them. Such persons would be placed in a position in which no one was ever placed in a court of justice. If that committee proceeded in a manner against which public feeling existed, instead of doing that which that House was determined to do—viz., expose bribery, they would have that feeling combined against them, and would be in a worse situation than they were in before.

Mr. R. Yorke was perfectly satisfied that the hon. and learned Gentleman who had just spoken had misunderstood the question as between the committee and the House, it appeared to him, that in the speech of every hon. Member who had addressed the House the question had assumed a personal character as against the hon. and learned Member for Bath. That was his impression, and he thought that that was the impression that would go forth to the public with respect to this debate. He was glad to hear that such was not the case, but he rose to say that he fully identified himself with the part the hon. and learned Gentleman had taken in these proceedings, and he would state further with great humility to the hon. and learned Gentleman, that in all the proceedings he had ever witnessed he never saw a person more fully alive to the delicacy of the situation he had brought upon himself by moving for this committee, and more consistent and delicate towards every person connected with it, than the hon. and learned Member for Bath.

Debate adjourned to the following Monday.

On the motion of Sir R. Peel a select committee was appointed to search the journals for precedents in respect to any Member of the House being compelled by an order of the House to give evidence before the House on any committee appointed by the House.

DISFRANCHISEMENT OF SUDBURY.] The Sudbury Disfranchisement Bill was read a third time.

Mr. Blackstone pursuant to notice moved the following clauses:—In line 14, after the words "passing of this act,"

"Be held and considered as comprising within its limits the hundred of Babergh, in the county of Suffolk, and the hamlet of Ballingdon-cum-Brundon, in the county of Essex, and that the right of voting for any burgesses or burgesses to serve in Parliament for the said borough of Sudbury be hereafter vested in those persons residing within the said hundred of Babergh, and the said hamlet of Ballingdon-cum-Brundon, having the qualification required as electors for cities and boroughs under the act 2nd William 4th, c. 45." "And be it further enacted, that from and after the passing of this act, the following persons, whose names are hereinafter inserted, be disqualified from voting at all future elections for the borough of Sudbury, viz., John Francis Sykes Gorday, William Warner, Thomas Goody, James Bell Johnson, Francis Making, James Brown, Thomas Brown, Charles King, Richard Steed, William Jollady, Samuel Shelley, and Joseph Wheeler, jun."

The hon. Member in support of his motion contrasted the cases of Stafford and of East Retford with that of Sudbury, and contended that a sufficiently strong case against the latter borough had not been made out.

House counted out.  
Adjourned.

## HOUSE OF LORDS,

Thursday, June 30, 1842.

MINUTES.] BILLS. Public.—1<sup>st</sup>. Customs (The Tariff); British Possessions Abroad.

3<sup>rd</sup>. and passed:—Dean Forest; Municipal Corporations (Ireland).

Received the Royal Assent.—Assessed Taxes; Slave Trade Abolition (Argentine Confederation); Slave Trade Suppression (Hayti); Slave Trade Treaties; Justices Jurisdiction; Law of Merchants Act Amendment; Stockton and Hartlepool Railway; Thames Haven and Dock Railway; Sudbury Improvement; Liverpool Poor; Burntisland and Granton Pier, Ferry, and Road; Carlow Road; Tadcaster and Otley Road; Broadway Roads; Stourbridge Roads; Bathurst's Estate; Duke of Argyll's Estate; Ashton's Divorce; Rouma's Naturalisation; Leebeselle's Naturalisation.

Private.—1<sup>st</sup>. Reading Cemetery; Fourth Park and

Paving; Leeds Burial Ground; Blackburn and Chorley Road.

2<sup>d</sup> Ross and Cromarty Court House.

3<sup>d</sup> and passed:—Birmingham Free Grammar School;

Bishop of Derry's Estate.

PETITIONS PRESENTED. From Islington, for the Redemption of the Metropolitan Bridge Tolls.—From Paisley, for Relief.

**PUBLIC WORKS—CANADA.]** In answer to the Earl of Mountcashel,

The Duke of Wellington stated, that it was the intention of Government to carry out the plans of Lord Sydenham in reference to public works in Canada, and that they were in communication with the present Governor-general of Canada, for the purpose of ascertaining what would be the best mode of carrying the engagements which had been made into execution, for the benefit of the province of Canada.

**JUSTICES AT SESSIONS.]** Lord Campbell complained of the irregular manner in which, as it appeared to him, the Justices' Jurisdiction Bill had been yesterday hurried through the House. That measure made some very important alterations in the jurisdiction of quarter sessions; and as the quarter sessions were now sitting nearly all over the country, the effect of its being precipitated into law in this manner would be, that all trials for offences wherein the jurisdiction was now taken from the quarter sessions would be rendered invalid, as *coram non judice*, and, indeed, it was questionable whether the offenders might not proceed against the chairman of quarter sessions for wrongfully putting them on their trial.

The Lord Chancellor denied that there had been any irregularity in this matter. Full notice had been given within the knowledge of the noble and learned Lord, that the suspension of the Standing Orders should be moved in the case of this bill.

The Marquess of Lansdowne said, that no notice had been given that their Lordships would meet at an earlier hour than usual.

The Lord Chancellor said, that it was stated on the votes that the House would meet at half-past three, and the only business set down was this particular bill.

Matter dropped.

**DISTRESS IN THE MANUFACTURING DISTRICTS.]** Lord Brougham said, that he rose to present a petition to which he wished, for a few minutes, to call the attention of the House. The petition was from a deputation now in town, composed of

most respectable and humane individuals connected with the manufacturing districts of the North of England, and more particularly Lancashire, Cheshire, and the West Riding of Yorkshire. Some of these individuals were largely engaged in commerce, others of them were extensively engaged in manufactures, and others were ministers of various religious persuasions—men who from their callings, their station in society, their long and ample experience in various branches of business, and also from their character and ability, were well entitled to give an opinion as to the state of facts which came before them, and also to expect that those feelings of apprehension and even alarm under which they approached that House should be shared by their Lordships. He felt the greatest pain and anxiety in presenting this petition. He had long known many of these petitioners, and had, while a Member of the other House, been connected with the districts from which they chiefly came; and, as he knew that the petition was signed by persons connected with different classes in society, by members of different sects in religion, and by men of various political parties, he could safely assert that the petition was wholly divested of party or political feeling. It was only by a sense of the duty which they owed to themselves and their neighbours, and, above all, to the persons dependent on them for employment and the means of subsistence, that they had been induced to address that House at the present moment, which they even now thought was not too late, and ask that their Lordships would apply a remedy to evils which existed to such a fearful extent in those most important districts. He did not cherish a hope that he should be able to obtain relief for them, and had, therefore, respectfully, but firmly declined to do more than present their petition. After, however, the pressing and anxious requests that had been made to him, he could not persist in his refusal. He repeated, he could not resist their urgent request after contemplating the misery which they had described to him; and he would, therefore, at once state that he should bring forward a motion on the subject on a future day. He should now only discharge his duty by presenting this petition, which was signed by the chairman on behalf of the whole deputation, and the petitioners prayed that some ade

quate remedy might be immediately applied to the lamentable state of things which existed in their neighbourhoods. He had intended to have given notice for Thursday next, but, as his noble Friend, the Lord President had given a notice for that day, he should postpone it for a few days longer.

Petition laid on the Table.

MINES AND COLLIERIES.] The Marquess of Londonderry was satisfied that the House must feel great sympathy at hearing the statement just made by his noble and learned Friend. He had received a letter that morning from Sunderland, complaining of great distress existing in that neighbourhood, but this distress would be greatly increased if measures which he understood were in contemplation were carried into effect. He trusted, therefore, when these measures came before the House, that he should have the assistance of his noble and learned Friend, in endeavouring to persuade the House not to legislate on this most important subject, by passing measures which must add to the distress already existing. The petition was from a large body of coal owners of Bradford, in Yorkshire, praying the House not to press legislation on a subject of such immense importance as mines and collieries, and when not sufficient time had been given to examine the voluminous reports on the Table. He objected most strongly to a measure which was before another place, which, if it passed in its present form, would entirely prevent the working of many of the most important coal mines in the country. The petitioners stated, that it appeared by the bill that it was intended to prevent children under ten years of age working in mines; they thought this was making much too great a limitation, and they prayed that the age of eight years might be substituted. They also prayed that the passing of the bill might be delayed for six months; and they stated that if it were at once carried into effect it would dissolve all engagements which now existed between themselves and their workmen. If the bill alluded to should come up from another place he should take the sense of the House on all the clauses except that relating to the exclusion of females from working in mines. He above all should oppose that clause which empowered the Secretary of State to appoint inspectors of mines.

Lord Hutherton had a petition to pre-

sent to their Lordships upon the same subject as that referred to by the noble Marquess. It was from a number of gentlemen, delegates from the persons assembled at a public meeting of individuals interested in mining in South Staffordshire and the surrounding districts. It was not a petition against the bill which would shortly come under their Lordships' notice, but it adverted to the imputations contained in the report of the commissioners, and to the measure founded upon that report. He believed that the interests involved in this question were of a most serious nature, and that very little was known of the real facts of the case. The petitioners complained of the hasty manner in which the bill now before the other House of Parliament had been carried through its early stages, and stated that it was only very recently that they had heard of it. Some delegates had been sent to London, who had returned on that day for the purpose of holding a general meeting of the trade. The mode of conducting the business of mines in Staffordshire was entirely different from that of the north, and in the mines in the former district there were no less than seventy boys employed to every 100 men. The number of the inhabitants of the coal districts of the midland counties was nearly 600,000, and of these tens of thousands were employed as colliers. The commissioners in describing these people stated that they were well fed, clothed, and educated, and the life of the collier of this district was the very best amongst those of the labouring classes of this country. The day labourers almost invariably endeavoured to procure their sons to be employed as colliers, but there were never any colliers who would submit to the degradation of their sons being day labourers. He did not intend to ask their Lordships for any opinion on this bill at present, but he had said enough, he thought to show their Lordships the great importance of a careful and deliberate inquiry into the whole question. He was far from saying that the regulation of these mines, and especially in reference to the employment of boys, was not a fit subject for some statutory enactment, but when the bill came on for discussion he should draw their Lordships attention to the importance of due caution, in reference to the particular part of the country to which he had alluded.

Lord Kenyon begged to ask the noble Lord, whether women were employed in

the mines in the district to which he had alluded?

Lord *Hatherton* expressed his obligation to the noble Lord for having reminded him of part of the subject to which he had forgotten to refer. These gentlemen were decidedly of opinion that the employment of females in mines was unnecessary; that it had an immoral and injurious tendency; and that it ought not to be permitted; and a petition had been entrusted to him, which he should hereafter present to their Lordships, praying that this part of the measure might pass into a law.

The Marquess of *Londonderry* said, that he found that the petition which he had mentioned to their Lordships could not be received, as it was not in accordance with the rules of the House. He concurred in every sentiment expressed by the noble Lord who had just sat down; but he believed that the general subject was one in which the Government had no right to exercise any influence. He was most anxious, however, that this case should be considered on its merits—upon the report of the commissioners, and upon the counter statements which would be proved to the House before the bill came on for discussion.

**DISTRESS IN PAISLEY.]** Lord *Kinnaird* presented a petition signed by 6,000 inhabitants of Paisley, complaining of the way in which the charitable funds raised for the relief of the poor in that town had been distributed. The petitioners complained that the management of these funds had been taken out of the hands of the relief committee, and had been placed in the hands of a Poor-law commissioner who had been sent down by the Government. It had been the custom of the relief committee to grant relief in the shape of money-tickets, which were taken at the various shops in the town; but of late, relief had been granted only in kind—in meal, bread, and potatoes. It was conjectured that the new system, so far from being productive of any benefit on the score of economy, had effected a considerable increase in the amount of the expenditure. The sum expended in one week had been 618*l.* 6*s.*, but during the management of the relief committee, although the wants of nine hundred more persons, inhabitants of the neighbouring villages, had to be supplied, the weekly cost had not exceeded 500*l.* They believed that the commissioner,

Mr. *Twisleton*, had an object in refusing to grant relief otherwise than in kind, for they asserted that, at a meeting of the relief committee, he had declared that it was necessary to render the position of the labourers as disagreeable as possible, in order to induce them to emigrate to other parts of the country. He would not pledge himself that this was a correct statement; for having written to ascertain how far it was warranted by the fact, he had received one answer from a member of the relief committee stating that the fact was as was alleged, while others doubted the truth of the statement. The petitioners prayed that Parliament would allow them to send the produce of their labour to those markets in which they could obtain for it the best price, and from which they could obtain in exchange the necessaries of life of which they stood so much in need. They declared that they could not stand by and witness such cruelties as were practised, which, if not counteracted, might drive the people to desperation, and endanger the peace of the country. He felt that the state of the country was much too serious to allow the wants of the people to be trifled with. The lower orders had been for some time considerably disaffected; by such conduct as the Legislature had adopted the middling classes would be led to entertain similar feelings, and the consequences to be apprehended were most serious. With regard to the petitioners, they wished these funds to be distributed by the local magistrates and ministers, who were of their own selection, and whom they considered to be better fitted for such a task than a Poor-law commissioner. They did not want cold charity to be dealt out to them in a miserable pittance of food, but they looked for consolation in acts of kindness, and for some hopes of future happiness. They had not been accustomed to ask for charity, and they only sought at their Lordships' hands the means of finding a return for their labour.

The Duke of *Wellington* said, that the prayer of the petition appeared to him to be neither more nor less than that the petitioners might receive relief in money rather than in kind. [Lord *Kinnaird*: Partly so.] A gentleman had been first sent down to Paisley from the Commissariat Department, and a Poor-law commissioner was afterwards despatched to make further inquiries into the state of distress existing in Paisley. The funds had been for some time distributed by this gentleman; but

since then that duty had been transferred to a body of gentlemen who were permanently established in London, called the Manufacturing Relief Committee. He believed that that committee distributed these funds according to certain fixed rules laid down for their guidance in a very satisfactory manner, and he was exceedingly concerned to find that it did not give satisfaction.

Adjourned at half-past seven.

## HOUSE OF COMMONS,

Thursday, June 30, 1842.

MINUTES.] *BILLS.* Public.—1<sup>o</sup>. Four Courts Marshalsea (Dublin).

2<sup>o</sup>. Charitable Pawn Offices (Ireland).

*Reported.*—Stock in Trade.

3<sup>o</sup>. and passed :—Justices Jurisdiction Act.

*Private.*—1<sup>o</sup>. Birmingham School Estate; Bishop of Derry's Estate.

2<sup>o</sup> and passed :—Leads Burial Ground; Fonthill Park Paving and Sewerage (No. 2); London Bridge Approaches.

*PETITIONS PRESENTED.* By Mr. Ormsby Gore, from New Ross, Kilkenny, and Wexford, against Fisheries (Ireland).—By Mr. Serjeant Jackson, from Kilsbannich, for Alteration of the Present System of Education in Ireland.—By Mr. Darby, from Hailsham Union, for Voting the Owners in Lieu of the Occupiers of Small Tenements.—By Mr. C. Buller, from the Literary and Scientific Institution of Liskeard, for Exemption from Rates and Taxes.—By Mr. Redhead Yorke, from the Rational Society, Hants., for Inquiry into National Difficulties.—From Merchants, Wardens, and Inhabitants of Belfast, against the Lagan Navigation Bill.

**TEXAS BLOCKADE.]** [Sir *R. Peel* presented, by command of her Majesty, the treaties which had been concluded by the late Government with the republic of Texas. He said that the present Government, acting on the almost uniform usage of public law, had felt it their duty—there being no question of an exceeding of their powers by the agents of the British Government—to ratify those treaties.

Mr. *O'Connell* wished to know whether it were true that the government of Texas had formed a blockade of the west coast of America to the extent of 700 or 800 miles, and whether the right hon. Baronet was prepared to give any information as to the capability of Texas to make such a blockade effectual? He thought it was generally understood that their fleet consisted of only two or three ships.

Sir *R. Peel* said, the mails came so fast, it was difficult to keep up with the information they brought. He could not say precisely what information had come by the last mail, but the last accounts he saw stated that there was no *bona fide* or effectual blockade. He could give no assurance on the subject, but he hoped there would

be no such blockade as Great Britain would be bound to recognise.

**DUTY ON CEMENT STONES.]** Mr. *Labouchere* begged to put a question to the Vice-President of the Board of Trade on a subject on which great apprehensions existed. A trade had hitherto been carried on in the export of cement stones from the port of Harwich and its vicinity, which employed 200 ships. The new tariff imposed a duty of 6d. a hundred, or 10s. a ton, on cement stones exported, whereas the value of the article was only about 5s. a ton. Thus they had imposed a duty of 200 per cent. *ad valorem* on this article. He would ask whether the right hon. Gentleman was aware of this when the tariff was brought in, and whether any representation had been made to him of the apprehensions which it had excited in Harwich and its vicinity.

Mr. *Gladstone* said, the tariff, containing the duty in question, was printed and before the public three months, but no remonstrance or observation of any kind on the subject had reached the Government till that day. It would appear that information on which the Government acted in the first instance was questionable, and he could only say that the subject would receive immediate and serious attention.

**GRANT TO MAYNOOTH.]** Colonel *Verner* begged to put a question to the noble Lord the Secretary for Ireland respecting a part of the Irish estimates, upon which many hon. Members felt anxious. He wanted to know whether it had been intimated by the Government to the Irish Roman Catholic bishops, as had been stated by their accredited organ, that it was intended by Government to give an increased grant to Maynooth College this year, if it were not for the financial embarrassments of the country?

Lord *Eliot* had no objection to repeat the answer which he had given to the same question in an early part of the Session. He thought if the hon. Member would refer to the Irish estimates, which were now on the Table of the House, he would see that it was intended to propose precisely the same grant for Maynooth this year, which had been given on former occasions. Consequently no intimation such as the hon. and gallant Gentleman had referred to had been made to the Roman Catholic bishops.

Sir *Robert Peel* took that opportunity to request of his hon. Friend to distrust statements that he might see in the newspapers with respect to the Irish Government. He had read accounts of dissensions and quarrels of which he knew nothing; and he took that opportunity of begging Members of that House not hastily to draw conclusions as to matters which were most positively asserted in the Irish newspapers.

A SILVER STANDARD.] Mr. *Wallace* said, that perhaps it would not be inconvenient if he now put the question which stood No. 17 on the motion list. The question which he wished to ask was, whether the great inconvenience and commercial distress which has been attributed more or less to the drain of gold out of this country of late years, and the consequent restriction in the issue of paper-money by the Bank of England, and by other banking establishments, coupled with the general stagnation of trade and want of employment among the working classes, together with the great trouble and positive loss recently inflicted on all ranks, by crying down the gold coin, which may have become light from the inevitable wear and tear to which a metallic currency is ever liable, will induce her Majesty's advisers, with a view to mitigate these evils, and to stimulate trade by a prevention of their recurrence, to recommend to her Majesty and to Parliament the substitution of a silver standard of value in aid of or in lieu of the present golden standard.

Sir *R. Peel* said, that he could not help noticing that a practice was of late growing up of printing a summary of a speech, when notices of questions were given. The question of the hon. Member contained the summary of the argument in favour of the silver standard of value. He would not answer the argument then, but he would state it was not the intention of her Majesty's Government to propose any alteration in the standard of value in this country.

GERMAN COMMERCIAL LEAGUE.] Mr. *Monckton Milnes* wished to ask the right hon. Baronet at the head of her Majesty's Government a question upon a subject that had excited a great deal of interest in the manufacturing districts, and especially so in the borough that he had the honour to represent. It was with respect to the

report that the Prussian Commercial League were about to impose a large import duty upon the woollen goods of England. He wished to know from the right hon. Baronet whether any intimation had been received from the Prussian government on this most important subject, or if he could give the House any information with respect to it.

Sir *Robert Peel* replied, that the report alluded to by the hon. Member had come to the knowledge of her Majesty's Government. It had come to them from Frankfurt. It did not come in an official form, and it was not one on which reliance could be placed. He had received a most respectable deputation from Bradford, who stated to him that naturally there had been excited a great deal of apprehension, by that which had been referred to by his hon. Friend, the rumours that it was the intention of the Prussian government to raise the duties on articles of mixed cotton and wool. Assurances had been received from the Prussian government, intimating its satisfaction as to the alterations that this Government had voluntarily proposed, and without exacting any conditions whatever. These alterations were certainly favourable to Prussia; and he was happy to say that on the subject of these modifications in their commercial tariff he had received assurances—they were general, certainly—but still they expressed the satisfaction and the earnest wish of the Prussian government to meet them in a corresponding spirit, and the disposition to act with similar liberality. He knew that there was a great pressure upon the Prussian government on the article of iron, and it was in correspondence with the spirit that had been expressed that this pressure had been resisted. He could only state the assurances that had been given, and the conduct of the Prussian government with regard to this article of their manufactures. He attached very great importance to that subject, and he should indeed most deeply regret if such a determination were about to be acted upon by the Prussian government, and particularly at this time. He had had an interview that day with the Prussian minister on this subject; but the Prussian minister had received no intimation on the matter. He had heard nothing whatever of the intention of the Prussian government to propose to the Zoll-Verein to raise the duties on articles manufactured with mixed cotton and wool. He

had no guarantee as to the future: but this he could say, that the Prussian minister, whom he had only seen within the last few hours, had received no intimation on the subject, and had expressed with him the wish that it might not be true. He repeated that he could give no assurance as to the future; but this he said, that the country would have strong grounds to lament that such an article should be selected to impose upon it high duties, at the very time that so much was done by this country in favour of Prussia and other states on the shores of the Baltic; and it would have grounds to lament it too, unless what it had done was met in a corresponding spirit to that which had dictated our own tariff.

THE DRAMA.] Lord *Mahon* rose to call the attention of the House to the petition which he presented in the course of last month, and which was signed by all, or nearly all, the dramatic authors of the country. They stated in that petition that many of them were emulous of pursuing the higher branches of their art, but were deterred by the difficulties created by the laws relating to the stage, which they conceived to be opposed to the advancement of the drama. They also stated, that they heard with regret universal complaints of the decay of the drama; and that they despaired of its regeneration until the laws which regulated the stage were taken into consideration by the House, and adapted to the increased intelligence of the present age. He might not expect to obtain any efficient remedies in the present Session by thus introducing the subject to the House, but at any rate he thought it was a duty with a view to future legislation, to call attention to the grievances under which the drama laboured. The origin of the evil was to be found in the patents granted to *Davenant* and *Killigrew*, the managers of two of the principal theatres in the reign of *Charles 2nd.* These patents were granted as a mark of personal favour, and were not to be considered as charters; indeed, it was a remarkable fact, that up to the present time there was, as he believed, no instance of such licenses being pleaded in a court of law. But, whatever might be their other effects, these licenses had served as a foundation for the statute laws by which the stage was regulated. *First, of those laws* he might mention the

act 10 *George 2nd.*, commonly called the Licensing Act, which provided that all plays should be licensed by the Lord Chamberlain, a provision very just in its principle, but, as he should hereafter show, subject to error in detail. By this statute it was also enacted, that a performer acting without a permanent place of residence should be treated as a rogue and a vagabond. They then came to the act 25 *George 2nd.*, c. 36, by which in practice, or at least in theory, the stage was at present governed. Even the title of that Act might give an idea of the contempt with which it treated dramatic authors and actors, for it placed them in a kind of niche between thieves on one side and disorderly ladies on the other. The act was entitled, —

“An Act for the better preventing Thefts and Robberies, and for regulating Places of Public Entertainment, and punishing Persons keeping Disorderly Houses.”

Such was the name of the law under which, even at the present day, the countrymen of *Shakspeare* and of *Otway* were willing that their drama should be ruled. This act also imposed a fine of 50*l.* upon every actor performing without a license from the Chamberlain for each time of his performance, the poverty of actors in general had made this provision from the first a dead letter, it was now set at defiance on all sides, so that even at the present day nearly, if not quite, every actor who trod the boards of our theatres was performing under the risk of a penalty of 50*l.* a-night. In like manner, unless when sanctioned by a license from the Chamberlain, theatres were held to be illegal in courts of law, and the consequence of this was, that a contract made with regard to a theatre was made with all the risk of a court of law considering it null and void. There were, indeed, several instances in which parties had been nonsuited in courts of law in consequence of those courts being unable to take cognizance of theatres. He might instance cases of persons who had advanced money on account of small theatres, of actors whose engagements with managers had been broken, and of dramatists who had been defrauded of the stipulated sums for which they had sold their works, in which either the plaintiffs pursuing had been non-suited, or incapacitated from proceeding in consequence of the loose state of the law. Thus it was clear that private as well as public in-

justice was perpetrated under the existing system, for the law was brought into operation to sanction acts of evident, and, indeed, acknowledged dishonesty and fraud. But these were not the only practical evils of the system. Another serious and sad consequence was that it failed in securing the power of salutary regulation over theatrical entertainments. In London at the present time it was very usual for public-houses to have what was called "saloons" attached to them for nightly dramatic entertainments in which the propriety of the performance was made a very secondary consideration to the consumption of the landlord's liquors. In the provinces the results were even worse. In many of the large towns minor theatres existed in which performances were given of the lowest and most debasing kind. The effect of these entertainments provided for the lower classes had been most grievous and appalling. Attention was especially directed to the subject by the prison inspectors in their sixth report, presented only a few months back. The inspectors alluded to the existence of the number of minor theatres in Liverpool. They especially stated that the authorities of that town had no legal power of either regulating, restraining, or putting down such dens of infamy, and that children of the most tender years entered them by themselves, and could not lawfully be prevented. "The number of children frequenting the Sanspareil and other theatres of a still lower description were almost incredible." But further still the inspectors, not contented with this general view, most properly proceeded to examine separately some of the boys in the Borough gaol at Liverpool, and they found that several youthful criminals ascribed to these low theatrical representations their first initiation into crime. Here were one or two of the answers given to the inspectors' inquiries :—

"D. M., aged 12 years, states, 'I have been at the Sanspareil, the Liver, and the Queen's. I have stolen the money to go with. It was at the theatres I was first introduced to bad characters. I have been three times in prison.' M. S., aged 18, states, 'I have been eight times in prison and twice discharged. I cannot tell how many times I have been at the Sanspareil, I have been there so often. I have seen *Jack Sheppard* performed, and am sure, if anything, it encouraged me to commit greater crimes. I thought that part the best where he robbed his master and mistress.'"

Now, it was clear that these evils arose from the want of a proper power of regulation, and in order to put an end to one very bad part of the system, he should certainly think it of the highest importance to enact in the first place that no fermented liquors should be sold or consumed in any places allotted to dramatic entertainments. This would in itself affect a great reform in all the lowest theatres. But he did not think that reform should be confined to these. The higher required it in a different dejection, but in an equal degree. Whilst our people were amongst the most moral in the world, our theatres were beyond all comparison and without any doubt, the most shameless. He thought, therefore, that a discretionary power of making regulations for order and propriety in theatres should be given to the magistrates in quarter sessions; subject, however, to the sanction of the Secretary of State. Up to this point, the grievances and evils he had considered were entirely independent of the monopoly on the part of the larger theatres, and with the permission of the House he would now proceed to consider how far that monopoly answered the purposes of public utility. Now, he was not prepared to say that the two great theatres of the metropolis were not entitled to some privileges, but at the same time he was quite clear that the mode in which the monopoly existed was entirely repugnant not only to the interests of the public, but to the interests of the very persons who enjoyed it. By the present regulations, the smaller theatres were debarred from receiving pieces in the higher order of the drama, however anxious their managers might be to present such performances to the public notice. The consequence of this was, that the dramatic feeling of the people was debased, and that the public suffered by the representation of plays conveying a bad, or at least a loose moral impression. He knew it was often alleged that the existence of the patent theatres was favourable to the greater efforts of genius and necessary to the loftier walks of the art. But this allegation was scarcely to be reconciled with the facts. Nearly all the best dramas produced since the establishment of the patents had been brought forward irregularly or unwillingly. Johnson forced Goldsmith's *She Stoops to Conquer* into the theatre. Tobin died regretting that



he could not succeed in having the *Honey-moon* performed. Lille produced *George Barnwell* at an irregular theatre after it had been rejected by the holders of the patents. *Douglas* was cast back on Home's hands. Fielding was introduced as a dramatist to the public at an unlicensed house, and Mrs. Inchbald's comedy had lain two years neglected when by a trifling accident she was able to obtain the manager's approval. But he could produce no stronger testimony as to the evils of such monopoly than that of one who was a high authority on such points, and who, at least, could not be said to be prone to rash innovation of whatever he found established. He alluded to Sir Walter Scott, who had written as follows:—

"Where are we to look for that unfortunate counterbalance which confessedly depresses the national drama? We apprehend it will be found in the monopoly possessed by two large establishments. It must be distinctly understood that we attribute these disadvantages to the system itself, and by no means to those who have the administration of either theatre."

But, whilst the effect was so detrimental to the interests of the public, what was the result upon those who held and exercised the monopoly? It was easy to prove that whilst the public had been suffering the monopolists had been far from gaining. In both the great theatres of London the lessees had for the most part, in former years at least, and notwithstanding much talent and industry, encountered great difficulties, which they were unable to overcome. It was recorded as a saying of Sheridan, that the only year in which he had lost no money by the proceedings of Drury Lane was the year in which that theatre was burnt to the ground. As to the present financial state of Covent Garden, they had a full disclosure in the schedule Mr. Charles Mathews had lately filed before the Insolvent Debtors' Court. Mr. Mathews declared that during his first year of management, namely, 1839, the receipts were 48,673*l.*, but the expenses 52,903*l.*, leaving a deficiency of 4,000*l.* In the second year, namely, 1840, the receipts were 49,227*l.*, but the expenses 51,440*l.*, leaving a deficiency of above 2,000*l.* In the third season, namely, 1841, the receipts had fallen to 42,535*l.*, while the expenses had risen to 55,691*l.*, leaving the enormous deficiency of 13,000*l.* After this it was necessary to stop payment.

Were things very much better at Drury Lane? So lately as the 23rd of May last, in his address at the termination of the season, Mr. Macready, the able and accomplished manager, was reported to have expressed himself as follows:—

"The receipts of the season had not been adequate to the exigencies, and great exertions must be made and greater outlays before the theatre will really be a profitable undertaking."

So that whilst, as he said before, the public suffered hardship and debasement, the monopolists themselves were only reaping bankruptcy and ruin. Was this then, he would ask, a state of things which ought to be permitted to continue? The necessity of correcting it was enhanced when it was considered that such temptations were held out to fraud by the present state of the law, which, by its operation, encouraged what it should repress, and repressed what it should encourage. There might be great doubts, as to the nature of the remedy, but there could be no doubt at all as to the reality and extent of the evil. He hoped, therefore, that the House would take the subject into consideration; but he would tell them that no measure would prove satisfactory if some steps were not taken to remedy the defects in the licensing department. He did not go the length of saying licensers awards, if unsatisfactory, should be open to revision by courts of law; he was willing to leave them final; but then the responsibility should be placed higher; no more in the Lord Chamberlain's Department, which in the present state of manners had only a fictitious connection with the stage, but in an officer named directly by the Minister of the Crown. The manner in which the service of the licenser was remunerated was also objectionable. He was at present paid by a fee upon each play to the performance of which he gave his assent. This was calculated in itself to bias the judgment. What would be the case if the salary of a judge depended on a verdict being given for the plaintiff? It would be far better to give the licenser such a salary as would insure the services of a man possessing ability and character, than to pay him in the present manner. He was anxious to call the attention of the House to this subject, being desirous that his native country should be as eminent in arts as

she was in arms; and as in former years the stage was one of the boasts of Britain, he hoped some steps would be taken to secure it from its present degradation and decline. He knew that what they could do was but limited; they could not shape and body forth a good play by act of Parliament, they could not make a Shakespeare or an Otway; but they might do this—give such eminent men, if any such again rose amongst them, full scope for their own talents and exertions—free them from unworthy trammels, and bestow on them whilst we ourselves enjoy, the blessings of equal laws. The noble Lord concluded by moving—

“For copies of any communications which have been addressed to the Secretary of State for the Home Department, in the course of the present year, complaining of the state of the law in reference to the drama.”

Mr. H. Gally Knight: I have the greatest pleasure in seconding this motion, and I do so because, ten years ago, I served on a select committee appointed by this House to inquire into the laws affecting dramatic literature, and I feel obliged to the noble Lord who has brought forward this motion for now endeavouring to carry into effect very nearly the same conclusions at which that committee arrived, but which have never been acted upon from that time to this. We went very fully into the subject, and examined several witnesses; and it was sufficiently proved that various obstacles are thrown in the way of the dramatic literature of this country—some of which obstacles cannot be removed, but others might be surmounted; and it was the opinion of the committee that the attempt ought to be made. The irremovable obstacles are the changes of fashion, the lateness of hours, and the conscientious objections to theatres in general of a portion of the community. Those which appeared to be capable at least of mitigation are—first, the size of the theatres at which the legitimate drama is alone allowed to be performed; second, the state of the law with respect to the licensing of theatres; third, the laws which affect the copyright of dramatic works. With respect to the size of the theatres, it is much to be regretted that, as the population of the metropolis became more numerous, the theatres were not multiplied, instead of being enlarged; for, as it is, the two theatres to which the legitimate drama is restricted, are become

too large for anything but scenery and show. The minor theatres are restricted to what is technically called “the burletta”—a species of composition not very easy to define; but the general understanding is, that burletta must always be accompanied by music, which, of course, places the legitimate drama out of the province of the minor theatres. In what way this difficulty was to be met, it was not easy to decide; but it was impossible not to see that the size of the theatres, in which the legitimate drama may be represented, had operated unfavourably on dramatic literature; and the committee came to the opinion that, with regard to this point, some improvement might be made if the licensing powers of the Lord Chamberlain, which are now limited to the city of Westminster, were extended, and if the right of representing the legitimate drama were no longer confined to the two patent theatres. With regard to the copyright, the dramatic author, is certainly obstructed by peculiar and unnecessary vexations. In the first place, he must submit his works to a censor; but, after having fully considered that subject, the committee could not come to the opinion that the censorship could be dispensed with. But dramatic authors enjoy less protection than is granted to authors in any other branch of letters, and are exposed to hardships which others have not to encounter. They have to make the best bargain they can with the manager, and have often great difficulty in obtaining the payment of the moderate compensation which may have been allowed. The management changes before the payment is complete; the piece is considered a stock-piece of the theatre, and no redress can be had from the new manager. Successful plays are often pirated by the provincial theatres, amongst which I include the theatres of Bath, Liverpool, Dublin, and Edinburgh; and, in this case, the author has neither compensation nor redress. In France, no play can be acted without the written permission of the author, which enables him to make his own terms. To relieve dramatic authors in this country, it was the opinion of the committee that the author of a play should possess the same legal protection as is possessed by the author of any other literary production, and that it should be made unlawful to represent his works at any theatre, metropolitan or provincial, without his express

and formal consent. I am anxious that dramatic authors should receive protection, because I consider a good acting play to be one of the most difficult and most admirable of all literary efforts. It is not only a vehicle for poetry of the highest order, but it discloses the secrets of the human breast, presents us with characters moulded from the lips, awakens the most generous feelings, inculcates the most lofty sentiments, and produces its effect upon numerous bodies of men in the most direct, immediate, and electric manner. Comedy shows us the ridicule of our follies and foibles. Tragedy pierces into the cell of the passions, and awakens our admiration for the sublimities of virtue and our abhorrence of the enormities of vice. Dramas are not only the mirror of the age, but may be schools of morality. Of what British literature have we more reason to be proud than the works of our dramatic writers? Are we not the countrymen of Shakspeare? and was he not succeeded by a long train of worthies, Massinger, Ben Johnson, Ford, Rowe, Otway? And if the obstacles of which I have alluded have, of late years, discouraged the drama, have we not still amongst us a Talfourd, a Lytton Bulwer, a Sheridan Knowles, and would not others arise, with proper encouragement, who would wake the tragic muse from her trance, and renew the triumphs of the British stage? May we not, therefore, justly call upon the Legislature to improve the laws which affect the dramatic literature of this country?

Sir James Graham had not heard the whole of the speech of his noble Friend, and he must also candidly state that he had not directed his attention to the subject under the consideration of the House. He would only remark, that although the noble Lord seemed to have devoted much attention to the subject, yet his information did not seem to have enabled the noble Lord to propose any specific alteration in the laws of the operation of which he complained. The noble Lord had stated that something must be done, but he was unable to collect the precise nature of the change which the noble Lord would wish to have carried into effect. Therefore, without pledging himself to any specific course, he would be most glad to enter into the consideration of any plan which the noble Lord might at any future time bring forward. At present he was

not prepared for any discussion, but to the production of the papers, for which the noble Lord had moved, he had not the least objection.

Returns ordered.

POLAND.] Mr. Gally Knight: In rising to bring forward the motion, of which I have given notice, I must begin by expressing my regret that the task has not fallen into abler hands than mine. I am fully sensible of my own inadequacy to do justice to so large and important a question; but, having long taken a deep interest in the destinies of Poland, and having, on former occasions, lifted up my voice in her behalf, I could not desert her now; and I throw myself on the indulgence of the House—an indulgence of which I always stand in need. I beg leave also to premise that, in thus coming forward, I take upon myself the whole responsibility of this motion. In this matter I am wholly unconnected with those I usually support; I come forward as an independent Member of this House to perform that part which is dictated to him by his own conscience and his own sense of duty. Neither do I come forward with any wish of keeping a sore open—of perpetuating a convenient annoyance; but rather for the sake of inducing Russia, if it may be, herself to close a sore, which, otherwise, must remain festering to her own great and lasting disadvantage. I stand more in need of the indulgence of the House, because I shall not have it in my power to relieve my discourse with any appeals to the passions, or any pungent denunciations. It is not my intention to heap invectives on a sovereign with whom this country is in alliance; my object is to assert a right, but not to give offence—to persuade, and not to irritate; and my belief is, that by adopting this course, I shall not only be acting in the most proper manner, but in that manner which is the most likely to lead to a practical and beneficial result. At the same time I feel persuaded that the sympathy which this House has ever felt for the Polish nation—that nation which at one time was the bulwark of Christendom—which at all times has been remarkable for talent and courage, and no less remarkable, I regret to say, for its great and unmerited misfortunes—will induce this House to listen with interest to any thing which relates to them, however imperfectly the statement

may be made by their feeble advocate. I should not here presume to occupy the time of the House with this motion, had the affairs of Poland remained in the same state in which they were when they were last the subject of discussion; but, unfortunately, new matter has arisen—new infractions of the treaty of Vienna have taken place; changes have been made, not only pernicious in themselves, but likely to lead to others of a still more deplorable character. But, in order to make the House more fully aware of the nature and tendency of these changes, and because there are many new Members in this House who were not present on former occasions, I must go back to the earlier stages of this sad history, and remind the House, in as few words as I am able, of the expectations which were originally held out to the Polish nation, and of the prospects which, at one time, opened before them. Let us see what they had reason to expect from the Emperor of Russia; let us see in what light they were regarded by the contracting powers of Europe. With respect to the first, we have the evidence of the letter written by the Emperor Alexander to the celebrated Kosciusko, dated Paris, March 3, 1814:—

*“Paris, March 3, 1814.*

“I feel the greatest satisfaction in returning an answer to your letter. The wishes you have most at heart shall be fulfilled. With the aid of the Almighty I hope to accomplish the regeneration of the brave and respected nation to which you belong. I have taken upon myself a solemn engagement to effect this object; the welfare of Poland has long occupied my thoughts. Political circumstances alone have interfered with the execution of my intentions. Those obstacles exist no longer. Two years of a terrible, but glorious, struggle, have swept them away. Yet a little while, and, proceeding in a prudent manner, the Poles will recover their country and their name; and I shall enjoy the pleasure of convincing them, that he whom they thought their enemy, is the person who will crown their hopes ———— !”

Did not this letter give the Polish nation reason to hope every thing from the kindness of their new protector? With respect to the second consideration, we know that at the Congress of Vienna the question of Poland was considered to be of such vital importance, not only to Poland, but to Europe, that, on account of it, recourse was on the point of being had to arms. I need not remind the House that the absolute restoration of Poland as an

independent kingdom was then the object; and, when that project was interrupted by the return of Napoleon from Elba, let us see in what terms the British Plenipotentiary, the late Lord Londonderry, expressed himself, in his note addressed to the Congress in 1814:—

“Without giving up his former opinions on the subject of Poland, he would confine himself to the expression of a wish that the proposition made by Russia on that subject might never lead to any of those evil consequences with respect to the tranquillity of the north, or the equilibrium of Europe, which it was his duty to bear in mind; but that, in order to guard against those dangers as much as possible, it was of the utmost importance to lay the foundations of public tranquillity in those countries which formerly composed the kingdom of Poland, upon the liberal basis of consulting their common interests, by giving to all the inhabitants of those countries, however varied might be the form of their government, a system of administration with which they would have reason to be satisfied. It is not by going counter to the usages and institutions which they possessed as a nation, that the happiness of Poland and the tranquillity of that important part of Europe can be secured.”

After pressing upon the Congress the necessity of preserving the nationality of the Poles, Lord Londonderry goes on to say:—

“That such a course would obtain for the different sovereigns the respect of their Polish subjects, and would dissipate any apprehensions with respect to the liberties of Europe that might be awakened by the union of Poland to the empire of Russia, which was always increasing in power; apprehensions which would cease to be chimerical, if, at any time, the military force of the two countries should be wielded by an ambitious and warlike prince.”

These expressions, in the highest degree honourable to the British Plenipotentiary, not only prove that Lord Londonderry considered the Polish question to be a European question—that he considered the preservation of Polish nationality to be of the utmost importance to the tranquillity and safety of Europe—but that he frankly informed the Russian government of his opinions in all their bearings, and made Russia fully aware of the jealousy with which she could not fail to be regarded, should any other course but the one he recommended be adopted. About the same time Prince Talleyrand, the French minister, declared that the views announced by Lord Londonderry, were in exact conformity with those entertained

by France. The same sentiments were expressed by Austria and Prussia. And what was the answer of Russia?

"That the justice and liberality of the sentiments of the British Plenipotentiary had afforded the Emperor of Russia the most lively satisfaction, and that a just measure had been taken of the large and enlightened views of his Imperial Majesty. That, by favouring all the measures which were likely to ameliorate the condition of Poland, the Emperor trusted he had afforded a proof of the sincerity of his intentions; that he considered that the attachment of the Poles to the respective Sovereigns under whom they were about to be placed, earned by an equitable regard for the interests which they prized the most, would be the best safeguard of the security of the Sovereigns themselves, and the best guarantee of the repose of Europe."

Such were the views entertained and the sentiments expressed by the contracting powers, and by Russia herself, with respect to the destinies of the Polish nation, and the important bearing of that question upon the destinies of Europe. The Congress felt and acknowledged that the preservation of the nationality of the Poles was indispensable to the welfare of Europe. In conformity with these sentiments, that portion of the treaty of Vienna which has reference to Poland was drawn up. The principal articles were—

"1. That the Duchy of Warsaw shall be forever united by its constitution to the Russian empire, under the title of the kingdom of Poland; that it shall have a distinct administration, a budget, and an army of its own. The Emperor reserves to himself the right of giving it the territorial extension which he may think desirable—(by which was intended that the Polish Palatinates, which Russia had acquired at the former partition of Poland, should be re-united to the new kingdom).

"2. That Prussia and Austria should give a representative form of government to the Polish provinces which they were to retain, and that all the Polish provinces should have such institutions as should preserve their nationality.

"3. That there was to be the most complete freedom of commercial intercourse between all the provinces which had constituted the ancient kingdom of Poland, previous to the partition of 1782.

"4. That Cracow, the ancient capital of Poland, should be a free and independent city."

It will be observed, that of such importance was it considered that the nationality of the Poles should be secured, that its preservation was not only required in the new kingdom of Poland, but also in the

Polish provinces which were to remain in the hands of other powers. It was even determined that, in those provinces, the Poles should obtain a representative form of government. The treaty defines the future form of government in those provinces with more accuracy than it does that of the new kingdom of Poland; but the reason was, that at the time of the Congress, in those provinces there was nothing of the kind—whilst the Grand Duchy of Warsaw, which was to form the new kingdom of Poland, was already in possession of a constitution which had previously been conferred upon it by Napoleon. The expression, therefore, of "*par sa constitution*," which has sometimes said to be vague, was not, in fact, vague, because it referred to the constitution which was already in existence. In 1818, in compliance with the treaty of Vienna, the Emperor Alexander gave a charter to Poland. By that charter the Emperor made some alterations in the constitution granted by Napoleon; but these alterations were of no great importance, and the charter of 1818 was accepted as the constitution guaranteed by the treaty of Vienna. Amongst the articles contained in the charter were—

"Article 86.—The legislative power shall reside in the King and the two Houses of the Diet. The Diet shall assemble once in two years at Warsaw.

"Article 29.—The public offices, civil or military, shall only be exercised by Poles.

"Article 11.—The Roman Catholic religion, which is the religion of the great majority of the inhabitants of Poland, shall be especially protected by the Government.

"The property with which the Roman Catholic Clergy, or the Clergy of the United Greek Church (which acknowledges the Pope as its head) are endowed, or shall be endowed, shall be inalienable."

If this charter did not confer liberties so extensive as are enjoyed in this country, it, at least, gave important pledges to the Poles and to Europe, it, at least, gave the Poles a government of their own, a distinct administration. The public offices were only to be exercised by Poles. The Polish language was to be employed in all public acts, and the nationality of the Polish nation was preserved. But it may be said, for it has been said, that the insurrection of 1830 sufficiently accounts for any alterations that may have been made. But, alas! a great change had taken place in the sentiments of the Em-

peror Alexander, a great change in the manner in which the affairs of Poland were administered, long before that unfortunate insurrection occurred. That change did not arise from any misconduct of the Poles, but from what was passing in other countries. Spain demanded a representative government—Naples followed her example—Germany was in a state of ferment—the monarchs were alarmed—Alexander himself was induced to see danger in free institutions. In this alarm, he forgot earlier and more rational sentiments; he forgot his letter to Kosciusko; he forgot that the most secure foundation upon which the throne of a monarch can be based, is the happiness of his people. From that moment, the Poles were treated in a very different manner from what they had been. Promises were not fulfilled—various infractions of the treaty took place, and the harsh government of the Arch-Duke Constantine filled the cup of Polish disappointment to the brim. I do not stand here to justify that insurrection. I do not stand here to say, that the Emperor had not a perfect right to put it down; but this I say, that Russia might have remembered of how much the Poles had reason to complain; this I say, that Russia might have remembered the generous and chivalrous manner in which the Poles suffered the Arch-Duke Constantine, who had used them so cruelly, to escape unharmed, and at a moment when it was obvious how important a hostage he would have been in their hands; above all, I say, that the insurrection did not give Russia a right to abolish the Polish constitution. She had no right to abolish the constitution, even had Poland and herself been the only parties concerned; for, according to all the laws of civilized nations, the misconduct of a part does not entitle a sovereign to file a bill of indictment against the whole—and not only to take vengeance on the offending generation, but also to punish their latest and blameless posterity. But on the occasion in question, there were other parties concerned. The Polish constitution was as much guaranteed to the Powers who had signed the Treaty of Vienna as to Poland itself—and setting Poland aside, so long as treaties are binding, Russia had no right to abolish the Polish constitution, until she had previously obtained the consent of the contracting Powers to whom it had been conceded. But I need not occupy the time of the

House with further urging this point, for, upon this point, England has declared its opinion. Whilst the struggle was yet going on (for this House will remember, that Russia did not find it so easy a matter to crush the handful of brave men who ventured to resist an empire), it was intimated to Russia by the Government of this country, that if not a finger would be lifted in opposition to Russia, or in aid of the Poles, yet that this country expected that the conditions of the treaty of Vienna would be maintained; and when it was perceived that such were not the intentions of Russia, the British Minister at the Court of St. Petersburg was directed to make representations on the subject. Russia replied by alleging that the insurrection had released her from all her obligations, and argued that Poland was now her property by the right of conquest. The right of conquest! Does any nation that pretends to be civilized assert that conquest confers the right of inflicting wound after wound? No. Does not the conqueror who has any sense of the duties of a ruler, or any respect for the opinion of mankind, rather seek to heal the wounds which he could not help inflicting, and secure his restored authority by acts of generosity and kindness? But the arguments of Russia were not allowed to be valid. The noble Lord, the late Secretary of State for Foreign Affairs, expressly informed this House, in the speech which he delivered in 1833, that he had instructed the British Minister to rejoin that the insurrection had only conveyed the right of putting it down; that, in spite of the insurrection, the treaty of Vienna remained in full force; that if Russia had no compassion for Poland, she would not be released from the obligations into which she had entered with Europe; and that, in spite of all that had been advanced, the abolition of the constitution of Poland would only be regarded as a direct infraction of the treaty of Vienna. Lord Palmerston said, 9th July, 1833—

“The contracting parties to the treaty of Vienna have a right to require that the constitution of Poland should not be touched—and this is an opinion which I have not concealed from the Russian government previous to the taking of Warsaw—and when Warsaw fell, that opinion was again conveyed to the Russian government. The Russian government, however, took a different view of the question. They contended that, by the re-conquest of

Poland, the Emperor was placed in the same situation in which he stood after the treaty of Vienna, and before the granting of a constitution to Poland, and that he was at liberty, the previously-existing institutions having been swept away, as they contended, by the revolution, to determine by what sort of institutions they should be replaced. The reply of the English Government was to the following effect:—That having taken into full consideration all that the Russian government had stated in support of their view of the case, they still adhered to the opinion previously expressed, that the true and fair interpretation of the Treaty of Vienna required that the Polish Constitution should remain as before the revolution, and that Russia had no right to abolish it."

On the 19th of February, 1836, Lord Palmerston said,

"I stated on a former occasion, that the British Government had remonstrated against the change which was made in the constitution of Poland, and had expressed it as their opinion that it was not consistent with the treaty of Vienna."

England, therefore, through the mouth of her Minister, stands committed to the opinion that the insurrection was no justification of the violation of the treaty; and, in this country, every succeeding Government admits itself to be bound by the acts of its predecessor. If the representations of England, unsupported by Austria and Russia, did not obtain all that was desired, yet they had an effect; for in the very organic statute which Russia promulgated in 1832, and which is odious in the eyes of the friends of Poland as having been the first public act by which this constitution was abolished—in that destructive statute Russia felt it necessary to introduce pledges of an opposite character. If the organic statute violated one half of the treaty of Vienna, it respected the other half. If it abolished the constitution—if it substituted a Council of State for the Polish Diet, it preserved the distinct administration. If it deprived Poland of its independence, it preserved its nationality—and entered into fresh obligations to respect its religion,—its tribunals,—and its language. Thus it was that, in 1832, despotic rule was, by the organic statute, substituted in the place of free institutions. I will not here dwell upon the pains and penalties by which the new system was ushered in; the suppression of the Universities, the confiscations, the *banishments to Siberia*, the expatriation of

families and children. Of all these this House has heard before, and it might have been hoped that with them resentment would have been exhausted. Neither will I say a word about Cracow, for Cracow is a subject to itself. But I now pass on to the two recent Ukases, to the new matter, in consequence of which I feel myself authorised to call upon this House to express an opinion. After a lapse of nine years,—after an interval during which no new insurrectionary movement has appeared in Poland, during which, if many blows have been inflicted, no resistance has been attempted, Russia, without any communication with the contracting powers, as if to ascertain how much Europe would endure, has issued two Ukases which complete the violation of the Treaty of Vienna, by putting an end to the distinct administration of Poland. These Ukases were issued in September last, since the accession to power of the present Ministry. No room is left for doubt, for the Ukases are prepared with the following words,—

"Finding that a separate Council of State for Poland no longer suits the present posture of affairs"—

And the Ukase then proceeds to incorporate the government of Poland with the government of the empire. Instead of the Polish Council of State, the 9th and 10th sections of the senate of Petersburg are henceforth to administer the affairs of Poland. The 7th and 8th sections superintend the administration of Moscow, so that the government of Poland is assimilated in every respect to that of every other province of the Russian empire. The Supreme Court of Justice of Poland is abolished, and the 9th and 10th sections of the senate of Petersburg succeed to all its functions. These sections are to sit at Warsaw, but, component parts as they are of the Russian senate, they are under the same control which directs the senate of Petersburg, and no longer possess any distinct character. They are to be composed indifferently of Russians and Poles. The emperor names the whole body in the first instance. These are the words of the Ukase:—

"Finding that the existence of a separate Council of State for the kingdom of Poland is no longer suitable to the existing state of things, and as it is necessary to place the Supreme Tribunal of Justice upon a better basis, we have determined that the Council of State

of the kingdom of Poland, and the Supreme Court of Justice shall be suppressed, and, by these presents, we create at Warsaw, for the kingdom of Poland, two new sections of the senate of the empire, which shall be called the 9th and 10th sections. These two sections shall preside over all the affairs over which the Council of State used to preside; with the exception of the budget, which shall be a department to itself.

"Article 3.—The 9th section of the senate of the empire succeeds to all the functions of the Supreme Court of Justice. The 10th section shall preside over criminal matters, and shall be regulated by a penal code which will be published hereafter.

"Article 7.—The sections shall, in the first instance, be composed of persons named by the emperor; afterwards they shall be chosen from a list presented by the Viceroy."

I need not remind the House that, next to the enjoyment of freedom, nothing is so essential to the well-being of a people as an administration of justice in which they confide. With what feelings, therefore, must the people of Poland behold their ancient supreme tribunal subverted, the administration of justice taken out of the hands of their countrymen, and a branch of the senate of Petersburg installed in its stead? From the decisions of the 9th and 10th sections, the only appeal is to the Emperor himself, and an appeal which must be carried to Petersburg, a distance of 1,500 miles, an appeal to which, an appeal from Dublin or Edinburgh to London would be a trifling inconvenience. The second Ukase makes the Russian money the current coin of Poland. But this is not all; for other Ukases have been issued which make it evident that Russia is acting upon a systematic plan of reducing Poland from a separate kingdom into an ordinary province of the empire, and nothing shows the deliberate intention more completely than the manner in which it is executed. All the changes are first introduced into the Polish provinces which Russia obtained by the first petition, and which, consequently, have been the longest habituated to their absolute control, and from those provinces they are gradually extended to the provinces of the kingdom. In the first place, with regard to the established religion of Poland, that religion of which Alexander declared the property to be inalienable, and which even the organic statute undertakes to respect. By a stroke of the pen, 4,000,000 of the united Greek church,

who acknowledge the pope as their head, have been converted into Russian Greeks, acknowledging the Emperor. Another Ukase dispossesses the Catholic clergy of all their landed property, and makes them dependent on the state. Another reduces their stipends. A Greek bishop is established at Warsaw—a Catholic church is turned into a Greek cathedral—and obstacles are thrown in the way of erecting Catholic chapels in the rural districts. Do not these measures reveal a fixed intention of extirpating the established religion of Poland, and introducing the Greek church in its stead? In the same way a Russian superintendent is appointed to watch over the public education of Poland, and the Russian language is made a principal part of Polish education. It has already been shown what has been done with the courts of justice. The Polish uniform, the Polish colours, the Polish cockade, have been made to give place to the Russian. Russians as well as Poles are allowed to exercise public offices, both social and military. All the public acts are henceforth to be published in the Russian language. Another Ukase changes the Polish palatinates into governments, to assimilate them even the more with the other divisions of the empire. The Russian money becomes the current coin of Poland. The metamorphosis descends from the most important offices to the most minute. Even the weights and measures of Poland are henceforth to be Russian: even the year is not undisturbed, and the Poles are obliged to abandon the new style, and return to the old, because it has been persevered in in Russia—a petty annoyance, which will remind them of their yoke every day. It is a complete system of fusion—a settled intention of effacing the Polish nationality, the Polish religion, the Polish language, of leaving not a trace behind; so that, at length, no man shall be able to say this was Poland. And now I think I have made out my case. I think I have shown that promises of a very different nature were originally held out by Russia, that the independence of Poland was considered by the late Lord Londonderry to be essential to the welfare of Europe, that, in conformity with those views, a constitution and a distinct administration were guaranteed to Poland by the treaty of Vienna, and that now the last fragment of that treaty is scattered to the winds.



and allow me to ask what change has taken place in the position of Russia, which makes it more safe than it was in 1814, that Poland should cease to exist as a nation? The honour of this country, as well as the safety of Europe, is concerned. Would it be for the honour of England that she should take no notice of the final annihilation of the treaty, to which she was a party, and which was declared to be of such vital importance? If I am told that I am calling upon this country to rush into a war, I declare that I have no such intentions. But I call upon this House to express its sense of the annihilation of the treaty of Vienna; and I call upon the Government to adopt the same course which was adopted before, and to make remonstrances and representations against the infraction of the second half of the treaty, and the abolition of the distinct administration. We might venture to hope that, on the present occasion, we should have the advantage of the co-operation of Prussia. If the only speck on the memory of the late King of Prussia was his subserviency to Russia in all things relating to the Poles, the present king, with whose high qualities this country has recently had the opportunity of becoming acquainted, has already evinced an intention of acting in a different manner. In proof of which, I need only read an extract from the speech of the President of the Diet of the Grand Duchy of Posen, addressed to that body, on the opening of their session in February, 1841:—

“The generous sentiments of his Majesty (Frederick William the Fourth) assure us, that the happiness of the inhabitants of the Grand Duchy of Posen is the object of his wishes and exertions. Already he has afforded us proofs of his sincerity. Our archbishop is restored to us. A general amnesty has been granted to the Poles accused of political offences. Our deputies at Königsberg, on the occasion of his present majesty’s accession, have received from the king his solemn promise that nothing shall be done to impair our nationality. His majesty has revoked the edict of 1817, which was a violation of our rights, and has decreed that the Poles shall be allowed to plead in their own language in the courts of justice.”

May we not conclude, that the sovereign who is acting in this manner by the Poles within his own dominions, will be disposed to exert himself in favour of those whom, by the treaty, he is equally bound to protect? We may rely on the co-operation

of France—for though I am constrained to acknowledge, that at this moment there exists a feeling, with respect to this country, which I deeply regret; which I the more regret, because the real interests of both countries are the same, because I am well assured, that there are no substantial or sufficient grounds for the feeling to which I have alluded—yet, in anything relating to the Poles, we might rely on the co-operation of France, and such a co-operation would be more likely than anything else to lead to a renewal of that good understanding between this country and France, which is so much to be desired. If I am asked what is the use of making representations, I answer, that by so doing, we should preserve a right which, otherwise, will be lost; that, perhaps, we should obtain kinder treatment for Poland; that, at any rate, we should make it impossible for Russia to say—“we thought you approved, because you expressed no opinion to the contrary”—at any rate, we should discharge what appears to me an absolute duty—and never, I trust, will the hour arrive, that shall see England shrink from a duty, or descend from that moral eminence which has hitherto obtained for her the admiration of the world. I am well aware, that at the present moment, we have every reason to be satisfied with the conduct of Russia, except with respect to Poland, and that between Russia and this country the most amicable relations exist; but such a posture of affairs, far from making an appeal to Russia more difficult, should afford it facility; for, have we not a right to say, “if your friendship is sincere, prove it by fulfilling the treaty.” And is there anything that should disturb amicable relations when we approach a friend with exhortations that are no less for his real interest than our own? Is it for the interest of Russia that she should prepare for herself a constant source of anxiety? Is it for the interest of Russia that she should make herself an object of jealousy to all the other powers of Europe? Is it better that the safety and tranquillity of Europe should repose on a sleeping volcano, or on Polish nationality? In order to prove that it is not for the real interest of Russia, that she should trample upon the Polish nation, we might point out to her the example of our own conduct to Ireland. Thank God, the time is arrived, when I may advert to that subject with-

out indiscretion. But we might tell Russia, that for centuries England treated Ireland as a conquered country; endeavoured to efface her nationality, and her religion; endeavoured to do to Ireland exactly what Russia is now endeavouring to do to Poland; that not only overwhelming force was employed, but that laws were introduced which have been admitted to be the most atrociously ingenious that ever were designed to torture and subdue a people? and what was the result?—that centuries of oppression yield us nothing,—that the Irish only clung to their customs and their creed with the greater tenacity—that they were not subdued, not extirpated, not changed—and that all that England obtained was weakness where she sought to have had strength, and abhorrence where she might have won affection. At last, thank God, the system of persecution was abandoned, and the experiment of kindness resorted to. I will not say, that it has, as yet, completely succeeded; we could not expect it, from our prolonged misconduct; but the good seed is sown, it has already begun to grow, and, in due season, will, I am convinced, produce a rich and abundant harvest. Surely, it cannot offend our august ally to be told that we find it more agreeable to begin to be loved than to continue to be hated; and if I am told that a state of which the nationality is respected, cannot be advantageously combined with a despotic empire, I will point to the analogous case of Austria and Hungary. I will recollect the celebrated cry of "*Morie-mur pro rege nostro, Maria Theresá*;" a sufficient proof that the state of which the nationality is respected, may be the most zealous and devoted support of the empire to which it is attached. Despotism has its advantages as well as its disadvantages. The Emperor of Russia is possessed of unlimited power. He can make nations miserable or happy with a stroke of his pen. He, therefore, can make Poland happy if he will. Let him as we have done, try the experiment of kindness—remove grievances, redress wrongs; break the chain of the captive, recall the exile to his home; treat the brave as they deserve to be treated, with confidence, and earn from them respect and esteem in return—consult the wishes of the people over whom he rules—extend blessings as wide as his sway. This is "the sweetest, holiest, draught of power." By these means he

will add strength to his empire, and glory to his name. "*Hæ tibi erant artes*."—"These are imperial arts, and worthy thee." The hon. Member concluded by moving an address for certain Ukases, bearing date the 15th and 18th of September, 1841, issued by the Russian government and relating to the administration of the kingdom of Poland.

Sir F. Burdett, in seconding the motion, said, that he would not in the absence of any functionary connected with the foreign department of the late Government, make those observations on the subject so ably brought forward by the hon. Member, which he had come down to the House with the intention of making. He should therefore confine himself to the expression of the pleasure with which he gave his cordial support to the motion of the hon. Member, and would only further state, that he looked upon it as an earnest of the justice which this great country was at length prepared to do the ill-fated and unjustly-used Poles. He begged also to express his earnest hopes, that inasmuch as the present Ministry had incurred no responsibility whatever in regard to the acts of the Russian Government towards Poland, and as the late Government alone had participated in the responsibility which attached to this country for having quietly permitted them to be carried into effect,—he trusted the existing Ministry would still continue to act upon the same principle, and to refuse a participation in the responsibility assumed by their predecessors.

Mr. Hume would permit the hon. Baronet's example to influence him, and therefore would refrain from addressing the House at any length on the motion of the hon. Member; but he must express his hope that the people of Great Britain would at length agree to wipe off the stain which had been cast on them in consequence of their having quietly permitted the treaty of Vienna, to which this country was a party, to be so grossly violated as it had been in the case of the Polish nation. The British Government had often interfered abroad in matters which in no way concerned England; but, in 1830, when the fate of Poland was in the balance, and the mere expression of a wish on our part would have secured her independence, the Government of Earl Grey stood culpably by and saw her political exertions sacrificed. It was the duty of the British country to have supported the treaty they were

a party to at Vienna. The French Chambers passed, he believed, a resolution every year, declaring that the independence of Poland ought to be supported: and he would be very much pleased if the House of Commons would adopt a similar course. Though he scarcely expected to live to see that happy event, yet the day he hoped would come when Polish nationality would be restored, and the integrity of that kingdom recognised. He deeply deplored the present oppressed state of Poland, the destruction of her national institutions, and the fate of her children and women: and trusting to see them soon reinstated in some of their rights by the remonstrance of this Government, he gave his willing support to the motion of the hon. Member.

Mr. Milnes: Sir, the Government of any country that was a party to the treaty of Vienna is more or less responsible for the well-being of Poland. It was the sanction of those Governments and of England among them, which submitted Poland to Russian rule, which exposed it to the insane ferocities of the governor whom Russia imposed on it, and which therefore was the remote cause of the Polish revolution, and all its calamitous consequence. If there is such a thing as the responsibility of governments, in this case England is responsible, and, admitting this, one only question remained for us—by what means, and to what extent that responsibility is to be asserted. In all matters of diplomacy, power must be regarded as well as right, and in none more than in the case before us. If what has occurred between Russia and Poland, had occurred between Holland and Belgium, had Belgium been defeated by Holland after her rebellion and resistance, and Holland had attempted to annihilate the nationality of Belgium, and transmute it into a Dutch province, is it conceivable that France and England would have permitted this infraction of the treaty of Vienna? We know, indeed, from the results of the Belgium revolution, that so far from this being the case, a new occasion for diplomatic interference was declared to have presented itself—the arrangements of 1815 were reconsidered and remodelled, and the independence of Belgium was the issue. The physical circumstances of Poland are different. I do not believe it was the duty of England to interfere alone by her resources or her arms in this quarrel; she owed something

to Poland, but she owed more to the interests of her citizens and the peace of the civilised world. One function, however, after the contest remained for her to perform, one from which no difficulties—no special interests, no diplomatic delicacies, could excuse her, and this was most clearly and energetically to protest against any infraction of the privileges guaranteed to Poland by the treaty of Vienna. And this course was at once adopted. On the 9th of July, 1833, the noble Lord, the Member for Tiverton, (Lord Palmerston), whose absence from this debate, I trust, is wholly accidental, stated,—

“That the contracting parties to the treaty of Vienna have a right to require that the constitution of Poland should not be touched, and this was an opinion which he had not concealed from the Russian Government, previous to the taking of Warsaw, and before the result of hostilities was known, and when Warsaw fell, and Poland was placed at the disposal of Russia, that opinion was again distinctly conveyed to the Russian Government.”

The Russian Government remonstrated against this view, on the ground that the previously existing institutions were swept away by the revolution; but, continued the noble Lord,—

“The reply of the English Government was to this effect, that having taken into full consideration all that the Russian Government had stated in support of this view of the case, they still adhered to the opinion previously expressed, that the true and fair interpretation of the treaty of Vienna, required that the Polish constitution should remain as before the revolution, and that Russia had no right to abolish it. No circumstances can arise, under which the English Government can give their sanction or acquiescence to the arrangements which the Emperor has made.”

In the same debate, Lord John Russell expressed the same sentiments; the noble Lord, now Secretary for the Colonial Department (Lord Stanley) said,—

If I am asked my own opinion as to the interpretation to be put upon the treaty of Vienna, I am ready to say, that it is that stated to be the opinion of the Government, and that I consider it has been violated by Russia.”

And the right hon. Baronet, now at the head of her Majesty's Government, declared in the strongest terms his sympathy for the condition of the “Poles, and his indignation as to the course pursued by Russia.” About three years afterwards, Lord Palmerston alluded to and repeated

the protest he had made in 1833, and now in 1842, after years of repeated violations—of continued infractions—of avowed aggressions—I call on the right hon. Baronet, representing the department of Foreign Affairs in this House, to avow his continuance of the policy which has been consistently and distinctly adopted by this country in this matter, and once more to record in the hearing of the civilised nations the firm and friendly protest of England in favour of the nationality of Poland. I would, Sir, do this in no spirit of enmity to Russia, I would do it as one who consults her best interests and her real honour. I am opposed to all violent language on this subject, for, however excusable by individual zeal and private indignation, angry words are no dignified expression of the feelings of Governments. I would remonstrate with Russia in this case, as any one of the Roman Catholic Governments of Europe might have remonstrated with our Elizabeth or James the 1st, for their treatment of the Roman Catholics of Ireland—as Elizabeth did remonstrate with Spain and France for their persecution of the Protestants, for the Inquisition in the low countries, and for the horrors of the St. Bartholomew; but I should stand on stronger grounds than any of those Governments, for my remonstrances would be based not only on considerations of humanity, but also on the special provisions of a solemn treaty. I own, Sir, that I cannot consistently, with my information, hope for any immediate advantage to Poland from any proceeding of this House, or any declaration of public opinion; but a protest is rather for the future than for the present; a protest leaves the question open, adjourns to some indefinite period the final solution of it, and reserves the right of returning to the subject, whenever favourable circumstances may arise. I see no reason to believe, that the present emperor will pause in his work of the annihilation of Poland; if he were a weak, or an ignorant man, he might be terrified or enlightened, but advanced as he is, in intelligence and reflection beyond his people, endowed with so many qualities of vigour, determination, and perseverance, I can only regard this his project as the settled purpose of a man, whose will knows no control, and whose passion is petrified into stern resolution. But brute violence only provokes resistance, and

gives permanence to the feelings it intends to destroy. Oppress a people, and you keep them together—banish a man, and you make him love his country—do as Russia is now doing with Poland, and Polish nationality can never perish. In the due course of time the present emperor will be gathered to his fathers. Another sovereign may ascend that throne of a less severe and unrelenting temper. He, perhaps, may deem another line of policy towards Poland at once expedient and just. He may regard the relation of Hungary to Austria as better than that of a province in permanent though covert rebellion to a Government whose only security is the weight of its despotism. He may discern the true limits of his own power, and abandon an attempt which he believes to be impious because he sees that it is impossible. And then the untiring protest which England and France have made against this wrong, and their continued assertion of this right will have their full efficacy in encouraging this benevolent wisdom, in proving to that sovereign, that in best consulting the interests of his own empire, he will be confirming the ties of amity and peace with the most powerful nations of the world. Or another alternative may occur. The throne of the Czars may be filled by a person less respectful of the interests of foreign nations, less prudent in his estimate of other powers, less temperate in his schemes of conquest and desires of ambition than the Emperor Nicholas. Again may the multitudes of the south be covetous of the wealth and luxuries of the southern and western kingdoms, and as the armies of Sobieski formed the barrier against Turkish invasion, so may the Polish nation still show itself the frontier guardian of the common liberties and common civilization of Europe. In that day Poland will not forget those who now remember her. At the same time, Sir, I cannot deny that I perceive in this our act of sympathy and protestation, an immediate advantage for this country in a most important and delicate quarter. In the year 1839, at a Polish meeting in London, the Count Montalembert, one of the most distinguished of the younger statesmen of France, expressed himself to the effect, “that if by bad policy or untoward misunderstandings, the good feeling then existing between France and England should come to be disturbed, England

will always find in the cause of Poland a common ground for sympathy with France, will always have a common subject of interest, will always retain at least one common tie of external policy." Late events, Sir, have realised this sad possibility: by policy, which I believe to be bad, France is alienated from England. Misunderstandings, as I believe totally groundless, have arisen, to disturb the union of those two nations; those only two which, in the emphatic language of M. Thiers, "can fight together under the banner of constitutional freedom." Still this common cause of Poland remains to us, and firmly convinced as I am, that in the intimate alliance of France and England lie the best hopes of the coming years, that without that union there is no perfectly secure political basis for our civilization, that with that union, we may defy all assaults of brute force, all machinations of subtle intrigue, all policies and all powers,—I will not abandon that link of sympathy, which, however slight, still shows that the two sister nations of the west are actuated by the same sense of justice, good faith, national honour, and respect for national independence. For these reasons, therefore, and with an earnest desire that this country should continue the same distinct and honourable line it has already pursued on this subject, I trust that her Majesty's Government will add their weight to this protest in favour of the nationality of Poland.

Mr. P. Stewart said, that from the reasonableness of the motion, he assumed that it would be assented to; but as an old and attached friend to the cause of Poland, he could not abstain from addressing a few words to the House on the present occasion. Doubtless the question was surrounded by difficulties and delicacies; points of national honour and the faith of treaties being involved in it. Under these circumstances it was necessary that an individual who rose to speak on the subject in a popular assembly should endeavour to suppress the feelings which naturally arose in his bosom at the contemplation of the wrongs which Poland had endured. He would speak very shortly, and he hoped clearly, and would avoid expressing himself so warmly as he had done when he first addressed the House on the subject. There could be no doubt that, as parties to the treaty of Vienna, we were

authorised to attempt, by such a course as that now pursued, to redress the wrongs of that ill-used and high-minded people. At the congress of Vienna our ambassador had expressed his anxiety, an anxiety experienced by the diplomatic representatives of the other great powers of Europe, that Poland should be recognised as an independent state, and placed under a form of government separate and distinct from that of Russia, so as to form a power interposed between the three great empires of Europe. It had been stated by some high authorities, that the hands of England and of those other states, the guaranteees of the rights of the Polish nation, had been tied up and restrained from any interference in her favour, in consequence of the revolt of Poland in the year 1830. Now, he recollected with peculiar satisfaction the sentiments expressed upon that subject by one of the most enlightened and temperate members of the Legislature, he meant Lord Ashburton, who had reflected great honour on his character by declaring that if ever a people had been justified in revolting against authority when grossly abused, it was in the case of the revolt of the Poles against the cruel misrule of the Grand Duke Constantine. That monster being deemed unworthy of ruling in Russia had been invested with the sovereign authority in Poland, where he abused power so outrageously as to goad and force the Poles to revolt, and the determined resistance then made to his tyranny shed fresh glory upon the military prowess and bravery of this extraordinary and interesting people. It was but too clear now what were the intentions of the Russian government, and unless this country assisted the Poles, by energetic protests, which could not be misunderstood by foreign governments, he saw great reason to believe that Russia would persevere in her resolution to extinguish the nationality and so erase the name of Poland from the map of the civilised world. He trusted our Government would vigilantly watch the conduct of Russia, and thwart her ambitious and unlawful designs. Before he left Parliament, in 1836, he stated what the conduct of Russia would be; and although he was then held to be a visionary alarmist, the events of the two subsequent years proved that his anticipations were correct. In the late debate upon Eastern affairs, it seemed to be assumed that the assurances of Russia were to be implicitly depended upon. Now he protested against that assumption. Sad experience

prompted this distrust. The House had been told that Count Simonich had been recalled by the Russian government from his embassy to Persia, on account of the part which he had acted at the siege of Herat. That was only a part of the sinister policy of Russia—that policy which induced her to furnish her agents with two sets of instructions, to be used as occasion might require. He would inform the House what had been the fate of Count Simonich, who had been denounced for having exceeded the powers vested in him by his government. Recalled from Persia, he was immediately made governor of a fortress in Poland, where he is at this moment; while some of his sons are pages to the emperor at Petersburg. These were facts which ought to open our eyes relative to the conduct of Russia. It might be said that the present discussion was of no use; but its use consisted in this—that it would lead the Poles to look upon us as their friends. It was our duty towards our own national character, as well as to the rights of Poland, which we had guaranteed, to record upon our Journals that those rights had been unlawfully invaded by Russia. As a gallant Pole had said to him that morning,—

“Write your protest against Russia’s conduct on the walls of this House, for it will be a consolation to Poland in her sufferings.”

He, Mr. Stewart, had great satisfaction in now assisting in this solemn protest; and his belief and hope was, that whilst it would prove to be a source of comfort to Poland now, it would still more, when the principles of eternal justice shall be hereafter vindicated, prove to be to her in her hour of need, a deep source of national strength.

Sir R. Peel and Sir R. Inglis rose together; the former gave way.

Sir R. Inglis began by apologising for attempting to force himself upon their attention in preference or priority to his right hon. Friend; but he was induced to address the House now rather than attempt to follow his right hon. Friend, as he believed many other hon. Members would, with him, think it more expedient that the right hon. Baronet should be permitted to close the debate upon this subject. He must, in the first instance, protest against a distinction that might be drawn from the remark of his hon. Friend the Member for Pomfret, respecting the right of England to interfere in the affairs of Poland being

analogous with that of Roman Catholic countries to interfere with England at a former period of our history. He must protest against the supposition that any foreign country whatever could have a right to interfere with our affairs. Our right to interfere in the affairs of Poland rested on stronger grounds—it was simply derived from treaty. He felt that the discussion which had taken place, considering the unity of sentiment, moderation, and good feeling which had characterised it throughout, must have some effect in bringing about that object which they all desired—an amelioration of the condition of the Poles. He feared, however, that there was a technical objection to the motion. The hon. Gentleman called for papers connected with the proceedings of another country, which any man might obtain with some trouble perhaps, and at some cost, but he was not aware how far it was the province of the Government to produce such papers as an act of the Government, or whether or not they had the means of doing so. He deprecated the principle of calling in that House for the municipal proceedings of foreign governments. Our right to interfere in the case of Poland, as he had before said, was founded upon treaty; and that being the case, the Government had a right to interfere in any way it might think proper for the fulfilment of that treaty. But in this case there was this difficulty. He believed the whole of the contracting parties to the treaty had never been united as to its construction. He wished to urge upon the Government of this country to exercise all the moral influence they possessed to induce the Emperor of Russia to treat his Polish subjects with greater moderation and fairness than it appeared he had done, for his treatment of them hitherto had been quite inconsistent with both the letter and spirit of the treaty of Vienna. It was, however, important that our interference should not go beyond that in which we should be supported by the other contracting powers to the treaty. He hailed the discussion which had taken place with the greatest satisfaction, and the warmest wish of his heart was, that the moral influence of this country, exercised as he had no doubt it would be, would tend to remedy those evils and wrongs which Poland had so long suffered. He hoped no division upon the motion would be taken, for he was most anxious that the general feeling which had been that evening expressed

should not be weakened by any apparent difference.

Sir *R. Peel* was not sorry that his hon. Friend (Sir *R. Inglis*) had spoken before him, for that enabled him to refer to a precedent which appeared to him to settle the only point on which his hon. Friend doubted. His hon. Friend thought it possible that some difficulty of a technical nature might interpose an impediment to the production of the papers referred to in the present motion. In 1832, a motion similar to that now before the House had been made, and he thought that a reference to that motion was important, as forming a precedent, for he should be sorry to take a course which might appear at variance with the view which was taken by Parliament and the Government in 1832. In that year he found that a motion to this effect had been made—

“That there be laid before this House copies of the manifestoes issued by the Emperor of Russia in February last, and of the organic statute to which they referred.”

Now, that motion was unanimously adopted; and were he to take a different course now, and on the part of the Government oppose the production of these papers, an erroneous construction might be put upon his motive. His hon. Friend had overlooked the distinction between interfering in the municipal proceedings of a foreign country and the interference for a specific object, under a specific treaty; and he must beg of his hon. Friend to remember that Poland was not a province of Russia, so as to make the question one of mere municipal administration. He would not now enter into the question, whether the revolt of the Poles in 1830 had set aside the treaty of 1815, but he knew that we were parties to that treaty, and that, by it the condition of Poland had been regulated, and, consequently, we possessed a right to information as to the grounds upon which that condition had been changed. He felt therefore that he was not departing from the strict letter of diplomatic usage by consenting to the production of papers relating to that treaty. The temper and general spirit of the present debate was, he thought, most satisfactory, for it could not be said that it opposed any impediment—in point of honour—to the adoption of the motion. There had been throughout a most gratifying abstinence from anything approaching to abuse or offensive expressions in speaking of the conduct of Russia in reference to Poland, and he for his own

part regretted that the hon. Gentleman opposite (Mr. *P. Stewart*) had referred to the policy of Russia in the east. It, however, gave him (Sir *R. Peel*) an opportunity of repeating what he had previously stated, that Russia had most distinctly disavowed the conduct of her agents in Persia and on the north-west frontier of our Indian possessions—that she had recalled those agents, and had given to the British Government the most distinct and positive assurance of her desire to act in concert with England in respect to the affairs of Persia, and had further as distinctly disavowed all intention of interfering hostilely in regard to our Indian possessions. That Russia was sincere in those professions might be inferred from her conduct. Since those assurances had been given, misfortune had befallen our Indian army, and if Russia had not been sincere, there was a temptation to depart from her engagement which, doubtless, would have been taken advantage of. But as he had stated, the assurances which Russia had given to this country had been fulfilled strictly and punctually; and it was his duty to acknowledge, the amicable and friendly feelings towards this country which Russia had evinced. That power had cordially acted with us, and had done her utmost to discountenance and discourage any hostile demonstration on the part of Persia, or any of the inferior states, in the affairs of Afghanistan. There was at this moment the most perfect understanding between Russia and this country, and he looked upon it as a great guarantee for the peace and for the general interests of the world, that those amicable relations between the two countries should continue unimpaired. He had felt it to be his duty to state this in respect to the conduct of Russia, and of her friendly intentions towards this country; but at the same time, however desirable it was that these relations of amity should continue, (and so desirable he felt it to be, that he could assure the House it would be the duty of her Majesty's Government to do everything in their power, consistently with the honour and interests of the country, to promote them) still he could not, for the purpose of confirming the good understanding which existed, consent to any sacrifice of truth or principle. He could not, as a public man, say that in his opinion the policy of Russia with regard to Poland was wise or safe. He spoke of the policy of Russia in reference to Poland, and after what had passed at Vienna this country had

a right to discuss, of course in moderate terms, any particular line of policy which might be adopted towards Poland. Acting upon that right, he must declare his conviction that the course now pursued by Russia towards Poland would not ultimately conduce to her own interests. Looking at the permanent interests of the two countries, the force of public opinion in Poland, and the expense which must necessarily be entailed upon Russia in maintaining her present course of policy, he could not think that she was consulting her own advantage. He was convinced, that after all the blood and treasure that must be expended in carrying out such a pernicious policy, it would be found that to abolish the nationality of Poland, was impossible. It might be crushed, but could never be extinguished; its spirit would survive amidst every oppression, and in lands however distant and obscure. The unfortunate natives might indeed be removed from the country and transported into strange climes, but it would be seen how eminently true, in their case, were the words of the poet—

“Cælum non animum mutant.”

Considering what had since occurred in France, in Spain, and in Portugal, and considering the feelings of sympathy that had been expressed in those countries towards Poland, he thought there was more danger to be apprehended for Russia from provoking those sympathies, than there was advantage to be hoped for from acts of force. As he was not prepared, however, in the name of her Majesty's Government, to offer any hostile remonstrance, still less was he disposed to hold out any idea of open demonstration on this subject. Nothing could be more unfortunate for the people of Poland than to have any false hopes of such a kind raised. This country was not the only party with Russia to the treaty of Vienna. Austria and Prussia were parties to it also. He recollected too, and gave due weight to the revolt in Poland. The effort made by the people to relieve themselves from the connection with Russia he would not, however, discuss, or give any opinion as to how far Russia was relieved from the obligations imposed upon her by the treaty by that act of the Poles; but with respect to any influence to be exercised by the British Government, he thought he had said sufficient to show that they shared in that sympathy which must be felt by all parties as to the present state of that gallant and enlight-

ened people. And he did hope most earnestly, that the Emperor of Russia would himself have the credit of ameliorating the condition of that people. Most certainly nothing had passed in the House of Commons, which could form an impediment to his taking that course which it was his (Sir R. Peel's) opinion would most redound to his honour, and conduce to the permanent interests of those who were committed to his charge.

Lord Sandon rose to express his gratification, that the right hon. Baronet at the head of her Majesty's Government had in no way quitted the ground with respect to the nationality of Poland, as a question of European interest, and a fit subject for European discussion, which had been taken up by the noble Lord, the late Secretary of State for Foreign Affairs. He rejoiced to find this additional evidence furnished in the face of Europe, that on that subject no party distinctions were known in England; that Whig and Tory had but one opinion. He regretted that it had been put on lower ground in one passage of his hon. Friend's, the Member for Pontefract's, speech—that it had been placed on grounds merely of compassion and sympathy, such as might have been expressed by Philip the 2nd for the Roman Catholics of Ireland, or by Elizabeth for the Huguenots of France. Sympathy and interest we did feel, of course, for a gallant nation, struggling for its independence, and for gallant men suffering all the pains and privations consequent on an ineffectual struggle in such a cause—but such feelings as these would not justify us for calling the attention of the British Parliament to the question now before them. That question is, whether the nationality of Poland, its distinct existence, was not made by the Congress of Vienna, a matter of European diplomacy—a part of the statute law of Europe; whether respect for that national existence, so recognized by the powers of Europe, was not considered an object of European importance, and an obligation incurred to Europe, at least as much as to the Poles—whether, therefore, any act of theirs, however culpable, supposing it to have been so, could have released Russia from that obligation so incurred, not to them, but to Europe, whether finally that obligation had not been most thoroughly and entirely broken by the Emperor of Russia, not only immediately after the insurrection, but most signally by the Ukases, issued since the last Session of



Parliament, for a copy of which his hon. Friend, the Member for Nottinghamshire, had moved. Now, what was the principal object of these Ukases? What but the effacement of almost the last trace of their distinct national existence, which had been left by former ordinances; and that, perhaps, one to which nations were the most attached, and which generally survived the longest, the distinctness of their judicial institutions. He passed the practical grievance of having their causes carried before a distant, a hostile, and if report said true, not a very incorrupt tribunal—he would only dwell upon the wound to national feeling, the complete amalgamation, so contrary to European obligations, which was implied in the fusion of the judicial courts of Poland with those of Petersburg. Why, looking to our own country, to what was Scottish feeling, after a close and friendly connection of two centuries, more attached still, than to the distinctness of their own laws, of their own tribunals? Had it not taken five or six centuries of most intimate union with Wales, to enable us, and even then not without some difficulty, to persuade the Welsh to give up their separate judication? And yet with regard to Poland, this was done at once by a stroke of the pen; and the finishing blow was thus dealt, if any yet were needed, to the illusion, that the conditions on which the greater part of Poland was handed over to Russia at the Congress of Vienna, were considered in any way binding upon that power. That the insurrection, to which the Poles were driven, might have led to some modification of their constitution in their internal organization, he could understand, at least it would be a nice question for discussion; but how it could dissolve the obligation entered into towards Europe to maintain that distinct nationality, the intention to maintain which, pervaded every stipulation of the treaty of Vienna in regard to every fragment of Poland, he was at a loss to comprehend. He hoped, that the unanimous expression of opinion on this subject would have its weight, not only with the Emperor of Russia, but also with the two other powers, who had shared in the spoils of Poland, and whose obligations had not been much more rigidly observed—though the circumstances were not such as to excite the same degree of public interest. He should not have risen to prolong this debate, if he had not wished to show, that those who had taken an early interest in this cause, had not forgotten it, though

they were content, and rejoiced to leave it mainly in the hands of other, and newer champions, upon whom that interest had descended.

Mr. *Sheil* hoped that the Government would continue that munificent hospitality to the distressed Polish refugees which they had hitherto experienced at the hands of this country. He congratulated all the speakers who had preceded him, on the tone and temper of their observations in the course of the debate.

Mr. *Stuart Wortley* said, that he should scarcely have thought it worth while to prolong this discussion, in which all the speakers were agreed, had he not felt anxious before its close to record, in a very few words, his entire concurrence in the objects of his hon. Friend, the Member for Nottinghamshire. There could be no doubt that, as had been correctly stated, the position in which this country stood with respect to the relations between Russia and Poland was that of right founded upon treaty; and it was impossible to look back to the transactions of the years 1814 and 1815, without becoming convinced that other rights besides those guaranteed to Poland were distinctly asserted and recognised in the negotiations of that period. Indeed, it appeared to him that the very history of the fate of Poland, since the insurrection of 1831, showed symptoms of a lurking consciousness, even on the part of Russia, that there were other parties besides herself who had some right to a voice in her proceedings against that portion of her dominions. For, if we considered that history, what did we find? When she had suppressed the insurrection of 1831, what would have been easier for her than to have asserted at once her right of conquest, and to have incorporated, without delay, the territories and people of Poland within the limits of her own empire? But was this the course which she had pursued? On the contrary, she had proceeded by gradual steps; and if we looked back through the period which had elapsed since that insurrection, we found it marked by a series of successive alterations in the connexion between the Russian Government and that country, but all tending to the same apparent end. Through the years after 1831,—through 1836, 1837, 1838, and thence down to the last year,—we might trace the progress of this course. We might see a partial displacement of the Polish language, followed by its more general exclusion; the suppression of the

universities at one time; encroachments upon the church at another; again, the subversion of the courts of justice; and, finally, the entire annihilation of the structure of national government in the year just past. And it did therefore appear to him, looking at these events, that the dilatory, and he might say insidious course, which had been adopted by Russia in these proceedings, exhibited strong symptoms of a lurking consciousness that her rights in the matter were not quite absolute, and that she was not the only party who had a claim to be heard in the question. He (Mr. Stuart Wortley) should consider it wholly unnecessary to trouble the House with any further observations of his, after what had fallen from his right hon. Friend at the head of the Government. The object for which he rose, was to declare his cordial concurrence in the objects of the present motion; and although the motion itself was not one which would have any immediate practical effect, he should not think it thrown away if it should tend at all to strengthen the hands of the right hon. Baronet in any representations upon the subject which he might find it possible to make, founded upon rights on the part of this country, with respect to which he had declared it to be his wish not to recede from former declarations made within these walls.

Mr. P. Howard said, it was only by an appeal to the magnanimity of the present ruler of Russia that any amelioration of the condition of Poland could be effected at present. He trusted that the Emperor Nicholas would imitate the example of his brother Alexander in the early part of his reign, and act justly and humanely towards Poland; and when that last hour shall come which visits the peasant and the prince, he would look back upon that day as the most blest of his career, when old Sarmatia was restored to her rights.

Mr. Galley Knight briefly replied. He felt great satisfaction at the reception which his motion had met with, and he was sure that the sympathy so generally expressed by the House could not but be most grateful to the Polish nation. It would revive their hopes, and encourage the belief which they still fondly cherished, that the Polish nation was never to be extinct.

Motion agreed to.

GREENWICH HOSPITAL SCHOOLS.]  
Mr. Cowper rose, pursuant to notice, to

call the attention of the House to the state of the Greenwich Hospital Schools, and to move the following resolution:—

“That in the opinion of this House, the schools attached to the Royal Hospital at Greenwich should be open at all times to the inspection of inspectors appointed by the Committee of Privy Council on Education, and that reports of such inspection should be annually laid upon the Table of this House.”

From the schools connected with Greenwich Hospital there issued a considerable number of boys. Last year, the number of boys who quitted the school was 404, of that number 91 entered the royal navy and about 150 went into the merchant service. In some respects the schools were likely to be productive of considerable advantage to the public, for they afforded great facilities for the preparation of boys. The upper school gave a good scientific education, at least to a certain portion of the boys, and it could easily be made capable of imparting to all who entered it a knowledge of machinery and of those sciences which were applicable to navigation. Now that steam navigation had been brought to so high a degree of excellence, it did appear to him most important that no pains should be spared to increase the number of competent engineers, and with that view he thought it very material that the schools at Greenwich should be placed under the best possible regulation, that they should be conducted upon sound principles, and be calculated to enforce habitual obedience. The House—at least every hon. Member present—might not perhaps be aware that the upper school formed part of the original foundation of the hospital. The two schools, however, were distinct in their origin and different in their regulations. The lower school was formed in the year 1799, and it was not transferred to Greenwich till 1805, when the name of the school was changed by letters patent. In the course of fifteen years the grants received by the upper school amounted to 350,000*l.*, to which 40,000*l.* from the patriotic fund at Lloyd's had been added. In the year 1821 these schools were consolidated by act of Parliament, and placed under the authority of the Board of Admiralty. Now, as they received money under an act of Parliament, and as they were placed under the authority of the Admiralty, he did think the House had a fair right to see those places of education were conducted under

satisfactory and adequate management. He had no wish to take away from the Board of Admiralty any authority which they at present possessed; his only wish was to secure publicity, to secure the benefits of a public examination, and of an efficient inspection. On former occasions the Lords of the Admiralty were in the habit of going down to look into the matter, and the pupils produced to them went on at such railroad speed that their Lordships felt not at all disposed to enter the lists against them; but these were the cream of the school: and when Lord Minto inquired about the generality of the boys, he found that they were not by any means well educated, and some of them could not even read. Having received information of the state of the schools, the Board of Admiralty requested the Privy Council to send their inspector to ascertain whether these allegations were true, and on the report made by that inspector all the subsequent proceedings were based; and he was of opinion that the inspectors should continue to examine these schools. [The hon. Gentleman read some extracts from a report made by Mr. Tremenhare, to show the defective nature of the religious instruction given to the children, and also their ignorance of geography, and other branches of knowledge valuable to persons destined for their sphere of occupation.] The reports of the inspector were corroborated by the others made at the same time by Mr. Irving, the present master, who when he was placed at the head of the school was requested to furnish an account of its condition. His report, dated May 25, 1841, was to this effect:—

“The course pursued (in the 1st and 2nd classes) was purely the old Bell and Lancasterian system, without any of the modifications which the lapse of time and the growing experience of educational men in every country had superadded to the original. Of the sixty-eight boys present in the lowest class, and whose average age was thirteen, twenty-four could not read at all, and twenty-two read very badly. Fifty of these could not work a small sum in addition. It was but too evident the majority of these children had not been taught either to spell or read, or to combine numbers. They were totally ignorant in every department of knowledge, and quite unable to give the meaning of the simplest words they had been attempting to read. Some of them could repeat the Church Catechism, but could not answer questions in explanation of the circumstances referred to in

the questions. Nor could they repeat any promise of a Saviour made to Adam, or to Abraham, or to any one else. The appearance and the manner of the boys also betokened a deplorable state of ignorance. They were rude and exceedingly inattentive to even the most gentle and kind remonstrances of those who had the charge of them. In the third class, consisting of fifty-six boys, whose average age was twelve years, one-half stammered over a few sentences in a very lame way, and a few read very well; the majority had no knowledge of numbers whatever. In the second class the average age was thirteen, and only one-half of them could read well. None could answer the plainest questions on what they had read; they had not been accustomed to think at all. In the upper class one-third read indifferently, but their chief defect lay in not understanding the meaning of the words they met in their lessons, and they had little, almost no general knowledge: knew nothing of geography, even that of England.”

Such was the state of a school which ought to have been a model for all other schools in the country. Mr. Graham, the head master, says:—

“There cannot be said at present to be any religious instruction given in the school deserving of such a name. All that is done, and is professed to be able to be done, is to make the boys repeat, mechanically, the answers in the catechism. The Bible is sometimes used as a class-book. The boys are at present ignorant in a great measure of the first principles of religion, and it will therefore be of great importance to give due prominence to religion in the new course of instruction.”

The chaplain being requested to account for this state of things, made the following communication:—

“With respect to the lower classes, Mr. Tremenhare is certainly justified in his statement generally, and, indeed, much so in the other classes, and the great deficiency arises from a want of proper teachers; a circumstance which has been continually represented and has been as often disregarded. For it is only by familiar catechetical instruction given by all the masters in conjunction that religious elementary truths can be imparted to the children, as it is beyond the physical powers of the chaplain himself to instruct 1,000 children as they ought to be instructed, though, if the proper means and encouragement were given him, he may and ought to see it done. I think I need hardly allude to the inefficacy of religious instruction within the school, unless accompanied by corresponding moral discipline without, and over which the chaplain has no control whatever. No small portion of this evil arises from the very limited personal superintendence over the children during the period of recreation.”

Captain Huchisson, the superintending captain, on the 23rd of December, 1840, reported thus :—

"I beg leave, in conclusion, to observe that, charged with a heavy responsibility in the management of 1,000 children, many of whom have been used to low, if not vicious habits, before their entry into the school, I have had to fight a very up-hill, and almost hopeless battle, for some years under the evils and defects of the establishment as at present constituted; and although I have frequently represented to my superiors here at Greenwich the difficulties in which I have been placed, from the want of efficient assistance, it has always been done without producing any effect."

The first step that was taken was to dissolve the girls' school; the proximity of the two schools, the total absence of moral training, and the habits of the boys and girls, precluding all hope of the two establishments going on satisfactorily while they remained in juxta-position. The effect of this boarding-school, for such it was, upon young females of the lower classes of society was found to be mischievous, for they contracted manners and imbibed notions which unfitted them for their proper station in society, and in too many instances they did not pursue a course consistent with virtuous poverty, and they were the worse instead of being the better for the advantages they had enjoyed. A great change had been made in the course of instruction for the boys, and the lower school now afforded as complete and satisfactory an example of a good system of education and of mental cultivation as any school in the country. But there was not much reason for congratulation with respect to the state of discipline; for a measure which had been abolished by the late Board of Admiralty had been revived by the present one—a measure of a strange and anomalous nature, and unexampled, he believed, in any country in Europe. This school was a sort of hydra, a monster having many heads. Not only had a variety of bodies control over the master, which might perhaps be proper enough, but the poor boys were subjected to the varied and often conflicting authority of different and distinct persons. The boys lived a sort of Proserpine life, living during one-half of their time with Ceres and the other half with Pluto. Sometimes they were under the control of their masters in the school, and at others under the charge of a lieutenant or a drill-sergeant in the play-

ground, or the dining-room, or the chapel. The consequence was, that as soon as they left the school-room they considered themselves at liberty to disregard their master, and might snap their fingers at him, and insult him with impunity. [Lord Stanley: Till they returned to the school again.] He apprehended that the master had no right to punish a boy for what he did when not under his special control; at the same time, he ought not to escape punishment. Suppose a boy threw a stone at his tutor, he would have to go to the drill-sergeant to request him to punish the delinquent. But there was much jealousy and little correspondence between the several authorities of the school, amongst whom there ought to be as much harmony as amongst the officers of any ship in her Majesty's service. He thought it absurd that the master should not have full control over the boys. The drill-sergeants were marines, selected for their good conduct, and no doubt very competent to enforce their orders by coercion, but utterly unacquainted with education, and unable to form the character and elevate the understanding. There ought to be a moral training, which should teach the boys to act from a sense of duty, and not from a fear of punishment. He was not a friend to corporal punishment, which had been entirely abolished in many free schools with the most satisfactory results, the children having learned to regard the school as a home and their teacher as a friend. In the best schools of Scotland there was no corporal punishment, and the commissioners of education in Ireland had recently issued a circular, requesting schoolmasters to discontinue it. Among the ancients we had the authority of Quintilian for not using a mode of punishment which was fit only for slaves, convicts, and irrational beasts. He could not discover the wisdom of attempting to allure a child to learning by giving him blows on his back. He might, perhaps, put the matter very ridiculously; but it was nevertheless important. Coercion could only have the effect of making children hate learning. It was chiefly on account of the system of education which had been adopted in these schools that he had thought it his duty to bring the matter under the consideration of the House. He had great confidence in the noble Lord at the head of the Admiralty, and his hon. Friend the

Secretary of that board. If a report was laid on the Table of the House annually with reference to these schools, such a feeling and interest would be excited on the subject that the Board of Admiralty would no longer be able to resist the appeal made to it. It might be said by his hon. Friend that he would grant inspectors, but that they must be appointed by the Board of Admiralty. He thought that the Privy Council should have the power of nominating the inspectors. That would be a guarantee for their efficiency. He thought that all schools supported by a public grant of money should be accessible to inspectors. He hoped that the right hon. Baronet at the head of the Government, who took so lively an interest in the subject of education, would exercise his influence in securing for these schools all the advantages which would result from the adoption of the motion which he had submitted to the House. It had been urged that a division had taken place in the authority of the school in consequence of a number of the boys being educated for the navy, and being subjected to naval discipline. He thought, however, it exceedingly absurd to subject the boys to a discipline similar to that carried into operation on board of ship. He hoped that his motion would meet with the support of the House.

Mr. S. Herbert concurred in the statement which had been made with reference to the inefficiency of the system of education which had been adopted in the schools attached to Greenwich Hospital up to 1829. The facts had not been exaggerated. The two schools ought not to be confounded with each other. In the upper school the boys were instructed in mathematics, and, so great was their proficiency in this science, that great credit was due to the gentlemen who presided over their education. A feeling of jealousy had been excited with regard to the school, and certain allegations had been made respecting the inefficiency of the system of education adopted. On that point he must state that an examination had been instituted by the present Board of Admiralty. Two professors had been sent down to the school, one from King's College, and another gentleman from the London University, and they reported that the method of teaching pursued was highly satisfactory. The

Board of Admiralty had done its best to obviate all those feelings of jealousy which unfortunately had prevailed. The error committed by the Privy Council was in introducing new masters among those who had been for some period associated with the school. That circumstance gave rise to the feelings of jealousy alluded to. He could assure the hon. Member that arrangements were now being made to secure the services of masters of high attainments, with the view of fully educating the boys connected with the school. The hon. Member had referred to the existence of two separate authorities, and had stated that it was difficult to ascertain which was the supreme one. It was thought better for the interests of the school to have two authorities, each exercising a separate jurisdiction. With reference to the subject of harsh treatment, he must assert that there had been no complaints on this ground. No master was allowed to subject the boys to corporal punishment on his own responsibility. If a complaint was made against a boy it must be brought under the notice of the head master; if he thought necessary, the boy accused of the offence was punished. With reference to annual inspection, he would make a few observations. The Admiralty proposed to have a regular annual inspection—the inspection, of course, would be made by a competent person, and he might be one under the Board of the Privy Council, but he would be required to make his report to the Board of Admiralty.

Sir C. Napier said, it appeared that in the upper school at Greenwich 450 boys were educated, only 100 of whom were the sons of warrant officers in the navy, the other 350 appointments being the patronage of the Admiralty, and of course very useful to hon. Members who represented the outports. In the lower school the boys were not required to belong to men in the navy, and he confessed that since the sixpence a month had been done away with he did not see what right the sons of merchant seamen had to be educated at the public expense, or at the expense of the hospital, which was the same thing. There were 1,500 warrant officers in the navy, yet only 100 boys belonging to them were admitted, by right, into the school. It appeared from the returns that between April, 1840, and April, 1842, 91 boys who left the schools had entered the royal navy, while 159

had entered the merchants' service. Now he could not see why all who were educated at the public charge should not be obliged to enter the naval service of the country. He would like to see such a regulation made, and would hail it as one step taken towards doing away with the evil of impressment. It ought to be an understanding that they were admitted to the benefit of the schools upon the sole condition of serving in the navy. They might be allowed to serve in the merchant service for four years, but they should also be required to serve in the Queen's service for a period of three years, as payment in some sort for the benefits which they had received. That would only be a return to the practice under an act of Queen Anne, which rendered all boys brought up at the public expense liable to the merchant service, and the merchant sailors were bound to receive them. Since 1841 he was glad to learn that the boys were taught to row boats and something of seamanship, for before that period they might as well have been brought up in the interior, for all they were taught of the profession they were expected to follow. He could see no ground of exception to the examination of the boys by the inspector of the Privy Council; he thought that would be better than that two or three of the Board of Admiralty accompanied by their secretary should go down in their state barge. He never knew much good come from examinations made by boards—one competent person was much better, and he could see no reason why the report of such a person should not be made to the Admiralty.

Mr. J. Parker conceived that it would be more satisfactory generally to the service that the report should be made to the Board of Admiralty rather than to the Civil Board. The difference was very small between the proposition of his hon. Friend and that of the Secretary to the Admiralty; therefore he trusted the motion would not be pressed.

Sir R. Peel thought that it was most desirable the connexion between these schools and the Admiralty should continue to exist, but that such an arrangement should not interfere with a proper inspection of the system of education. It was proposed to place the lower school under the periodical inspection of officers acting under the authority of the Privy Council, from whose experience great benefit would undoubtedly be derived. The Privy Coun-

cil was not, he thought, a high authority of questions connected with nautical affairs; but the Council would be enabled to employ inspectors conversant with nautical matters to conduct the inspection of the upper school. At the same time it was, he conceived, most desirable to maintain the connexion between the nautical department of the school and the Board of Admiralty.

Mr. Cowper hoped that, if properly qualified inspectors were appointed, there would be no objection to place the schools under the inspection of the Privy Council. He considered that by such a step the Board of Admiralty would not be deprived of any authority, nor would any authority be conferred on the Privy Council. After the statement of the hon. Secretary to the Admiralty, he would withdraw his motion. Motion withdrawn.

#### COUNTY OF DONEGAL GRAND JURY.]

Lord Clements rose, pursuant to the notice he had given for a committee to inquire into the conduct and management of the grand jury system in the county of Donegal; and in bringing forward such a motion, expressed his hope that he should have the approbation of the House, and the support of the noble Lord opposite. The matter on which he was about to address them, was of the utmost importance to Ireland; and he must say, that he felt compelled to bring it forward, from a grave and serious sense of public duty. He was obliged to take this step, because it was necessary for him to do so in the exposure of the bad system which had hitherto prevailed. Some of the matters that he was now about to submit to the House he had already brought before the grand jury of the county. The first time that he had done so he had obtained something like a hearing, but the second time he ventured to mention it he was scarcely listened to. He had also laid these matters before the late Government, and they said, they could not do anything for him—he had brought them before the Chief Remembrancer, and he said, he could not do anything. He then submitted the matter to his noble Friend, the present Chief Secretary for Ireland, and the answer given by him was to the same effect as that which he had received from the former Government. And yet what was the case for which he was told that no redress could be procured? It was this—that forgery had been committed in the presentments for that county.

He had at length got the Chief Remembrancer to investigate his charge—the Chief Remembrancer looked into it, and decided that there had been a forgery committed. The Chief Remembrancer communicated his decision to the foreman of the grand jury the gallant Colonel opposite (Colonel Conolly), and also to the judge of the assize; and yet, with this representation before them, the grand jury did nothing! Under these circumstances, then, the duty was imposed upon him of bringing these matters before the public. It was to him a subject of the greatest grief to be compelled to do so; but he was determined to shrink from no portion of his public duty. There was, he said, no portion of the Irish grand jury law observed in the county of Donegal—neither in its presentments, nor in the proper mode of having its accounts authenticated by the Chief Remembrancer. Every part of the law was unobserved. This was a question which, if he did not, as he intended, make out fully, he would not ask of the House to go any further with him. In, however, bringing such a subject before the House, he wished at once to be distinctly and clearly understood, that he made no complaint against the grand jury itself—he made no complaint against the gentlemen composing that grand jury; but he did make a great and a serious complaint against those persons in whom the grand jury confided, and in whom they placed confidence. But which confidence has been abused. His charge was principally against the gallant Officer opposite, and the officers of the grand jury. Sure he was that most of the gentry of the county Donegal were as anxious as he was to have abuses rectified. The existing law in Ireland for the management of the fiscal affairs of the country, laid down the rule that the presentments should all be made in open court. The law also provided that the fiscal business should be entered into at a proper time, before the opening of the commission. How had these regulations been complied with in Donegal? He went so far back as the year 1836, and in that year he found the fiscal business of the grand jury was begun on the 11th March, and the commission was opened on the 12th March. The sum presented was 18,362*l.* 2*s.* 4½*d.* At the summer assizes, in the same year, the fiscal business was commenced on the 19th July, and the commission was opened on the 21st July. The amount of presentment was 14,146*l.* 6*s.* 6½*d.* The short

space of three days was all that was allowed to be devoted to the fiscal business of the county in the entire year, and the amount presented was 32,508*l.* 8*s.* 11½*d.* during that short period. In 1837, he had not been able to ascertain when the fiscal business commenced and when the commission opened. In 1838, the fiscal business began on the 13th March; the commission opened on the 15th March—the sum voted was 17,987*l.* 11*s.* He had not the dates of the summer assizes in 1838: but the sum voted was 16,636*l.* 15*s.* 10*d.* The total for the year was 34,624*l.* 6*s.* 10*d.* In 1839, the spring assizes commenced on the 15th March—a Sunday intervened, and the commission was opened on the 18th March. At the summer assizes the fiscal business began on the 24th July, the commission was opened on the 25th, and the sum voted for the entire year was 35,763*l.* 4*s.* 4*d.* All this was voted in three days. In 1840, there was 38,220*l.* 3*s.* 6*d.* voted in the course of four days. It would naturally appear surprising to the House that such large sums of money should be voted away in so short a time; but how was it done? It was done, he said, by the foreman of the jury, contrary to law—contrary to the express provision of the Act of Parliament—it was done by dividing the grand jury into committees—it was done by the Gentlemen of each barony making presentments for their baronies, and their barony presentments never coming before the grand jury in a body at all. The hon. and gallant Colonel opposite, in his own person, laid a tax on two baronies; he first nominated the cess-payers, who were to be associated with the magistrates of the barony at the presentment sessions, and then, when the presentments came before the following grand jury, he being the foreman, divided the grand jury into committees, and by himself, and in his own person, he laid on the tax on the two baronies of Boylagh and Banagh. In this was, he might say, to be found the first step to the mode in which the business of the county was smuggled through the grand jury-room. In the summer assizes of 1840 it had been represented to him (Lord Clements) that eleven presentments which had passed the road sessions had been quashed. Now, here was a remarkably strong case, and he had brought it before the grand jury. The grand jury went into the case, and it was shown to them that the secretary to the grand jury,

Mr. Spence, had either quashed them, as he would observe, either from fraud on his part, or through wilful neglect. The charge against him was, that he had fraudulently suppressed them. When that person was asked why they had not been brought before the grand jury after they had passed the road sessions, it was said (as we understood the noble Lord) to a Mr. Law, by Mr. Spence, that he would have them passed before the judge, though they had never been before the grand jury. The grand jury asked for the presentment paper, and every one of these presentments which had been before the road sessions, and there passed, and as it was asserted, by Mr. Spence, were afterwards lost by him, which prevented their appearing before the grand jury,—yet, when called before the grand jury, he produced these very presentments on a paper corresponding with those that had been before the grand jury, and which were going before the judge, and ready to be fiated by him. The person who did this acted in violation of the act of William 4th. ; for he was not only acting as secretary of the grand jury, but also as deputy treasurer and deputy clerk of the Crown. Thus the intentions of the act, which meant that there should be a check and control of different officers on each other—were set aside and rendered of no avail. The grand jury submitted thus to be treated by a man who thus represented several persons. He (Lord Clements) had requested that he might be dismissed ; but the grand jury voted that he should be obliged to give up the situations in the treasurer's office and the clerk of the crown's office, and that he should be severely reprimanded in court, and be mulcted in half a-year's salary. He was accordingly reprimanded, and having made an apology, was told that half a-year's salary was stopped from him—but what was the result of all this ? After having been told that, the secretary of the grand jury allowed the presentment for his salary to be fiated by the judge. He must communicate to the House the scene that was exhibited in the grand jury-room when he attempted to impugn the conduct of their secretary. Never did he behold such an exciting scene as that grand jury presented. One gentleman got up and said, “ this was nothing new at all—that it constantly happened that presentments were thrown out at the road sessions—then brought, perhaps, before the grand jury, again thrown out—and at last fiated by the judge and levied

off the county.” Another gentleman stated that the barony of Innishowen was divided by a forgery. According to the act, the grand jury had the power of dividing the baronies. The matter had been brought before the grand jury, and they objected to the division. Notwithstanding the objection of the grand jury, it was, however effected, and that by means of a forgery, and Sir James Stewart stated to the grand jury,

“ That it was true that his name had been forged to the presentment ; but, he believed, that it was not the secretary who had forged it, but a grand juror.”

At the spring assize of 1841, he again called the attention of the grand jury to the conduct of their secretary, at the time that the presentment for his salary was brought forward, and requested that an investigation should take place into the general conduct of that officer. But he was particularly requested by the hon. and gallant Colonel not to bring it forward at that time, because a discussion would be excessively inconvenient and that they never should be able to get through their presentments. He did withhold it until the grand jury had gone through the presentments, and then, when the time had arrived for him to make his representations, to his astonishment the hon. and gallant Colonel, instead of calling upon him to speak, called on Mr. Alexander Stewart, who with great energy, particularly requested of the grand jury not to enter into the investigation, but only to notice any charges that might be brought forward. That gentleman laid down a rule for the grand jury to follow. He did not blame the grand jury for what they did ; but he did blame those who took the lead amongst them—who had the confidence of the grand jury, and by whom that confidence was abused. When he was allowed to speak, he repeated the accusations that he had brought forward at the former assizes, and he requested that the question should be put to the secretary of the grand jury, as to who had put the presentment for his own salary before the judge to be fiated, and the hon. and gallant Colonel was directed by the grand jury not to put the question. He then requested of the grand jury to hear the complaint of Mr. Bateson, who made a serious charge against the secretary. The charge was this—that Mr. Spence had improperly procured payment from the treasurer of 12*l.* 3*s.*, which he had no authority to receive, and also that he had improperly substituted one



map for another, the latter having no reference to the presentment for which the map was intended. When these charges were read, there certainly was a strong feeling amongst the members of the grand jury that they had got themselves into a scrape, and that it would have been better for them to have gone on with the investigation which he had desired. Like persons, however, in similar circumstances—"in for a penny, in for a pound"—they determined to abide by wrong, having commenced in error. He regretted that such a course was adopted; the gentleman who brought forward the charge was not better received than he had been. Evidence was produced, to show that the person's name had been forged. The draft for 12*l.* 3*s.* was professed to be received by a man named Owen M'Daid, and to that the witness was Mr. W. M. Spence. It was signed by M'Daid, as if he were a marksman, when the fact was, that he could write as well as Mr. Spence himself. Now, this was too plain, and there was only one way of getting out of the contradiction. He had seen a hungry lawyer badgering a witness at quarter sessions; but then, he had never supposed—he had never dreamt of seeing a gentleman on a grand jury, and acting under the solemn obligation of an oath, conduct himself in such a manner as did that gentleman, who took the lead on this occasion, and who acted as a sort of counsel for the defendant, and examined the principal witness, John Doherty. Never did a counsel for the defendant so banter the leading witness of the plaintiff, as this gentleman bantered the unfortunate witness,—such a bantering he had never heard. Words were put into his mouth that he had never uttered—he was examined and cross-examined until the perspiration was running down his face. It was repeatedly suggested to him, that he had employed the secretary of the grand jury to receive his money, and it was as repeatedly denied by him. It was repeatedly said to him—"Did you or did you not empower the secretary to receive the money?" And although the answer was always in the negative, yet this was carried on for such a length of time, that at last the grand jury became bewildered; and he believed that there was not one of them, except the gallant Officer opposite and Mr. Stewart, who was examining the witness, who really comprehended the matter; Mr. Bateson, was not allowed to make any reply—and was not per-

mitted to call back the attention of the jury to what was the real question at issue; and he did not believe that the Members of the grand jury knew very well what it was that they were voting for. On that occasion, the secretary of the grand jury was severely reprimanded, and was declared to be guilty of the greatest irregularity, though it was said there was no proof of fraud, even though he had kept the poor man's money for four months in his own pocket. Now, he had brought this matter before the Chief Remembrancer in January last. The Chief Remembrancer went into the case, and from the minutes of it, it would appear, that Spence admitted that the mark of Owen M'Daid was put to the receipt not by M'Daid, but by him; he admitted that M'Daid could read and write, and had given him no authority to sign his name, or put his mark to the receipt; he stated that the money was payable, not to M'Daid but to John Doherty, who had done the work for which the presentment had been made; that after spring assizes 1840, he (Spence) delivered the receipt to the treasurer, and received a draft from him for the amount drawn in favour of M'Daid, or order; that he endorsed the draft in M'Daid's name, and drew the amount from the county bank; that he applied the money to his own purposes; and that he paid the amount after summer assizes to John Doherty, who had done the work. That M'Daid admitted that he authorised Doherty to receive the money; and Doherty admitted that he had received it after summer assizes from Spence. He had followed up this subject by calling the attention of the foreman of the grand jury, and also of the judge of assize to it, at the last spring assizes. He might remark that there was one curious thing about the minutes of the Chief Remembrancer, who, he did not think, had fully performed his duty; in the matter, that in that minute, the fact was omitted that the secretary of the grand jury having kept the money for his own purposes, had not paid it until he had been repeatedly dunned for it over and over again by the poor man who had earned it in making a road. He did not understand why Mr. Blake had not sent a copy of the presentment on which the money was levied; for it would appear that the presentment itself was a forgery. It came, however, to this, that either the presentment was forged, or Mr. M'Clintock had signed it out of sessions—that is to say as it was on a mail car

road, the levy was to be half on the barony, and half on the county at large: Mr. M'Clintock being the presiding magistrate at the barony sessions, and not at that for the county at large, could only sign the presentments for the barony. Yet strange to say, the presentment in question was signed in his name for the county at large, and as it was stated that Mr. M'Clintock had refused to sign a presentment out of sessions, how came it that this presentment was signed by him? Mr. M'Clintock is dead, but his signature may be known. As the hon. and gallant Officer opposite took upon himself the management, not merely of two baronies, but of the county at large. It might naturally be expected that the hon. and gallant Officer would look at least to the two baronies that he took care of, and see them properly regulated; and yet even there he found the most extraordinary proceedings had taken place. He found, for instance, a contract there entered into with one Henry Cassidy, to repair a certain portion of a road at 13*l.* 7*s.* 4½*d.*, and this presentment was to continue for seven years. There was to be the same sum on the barony as on the county at large; and yet in the spring assizes of 1838, the 13*l.* 7*s.* 4½*d.* swelled into 26*l.* 14*s.* 9*d.* on the barony, and 13*l.* 7*s.* 4*d.* on the county. In the spring assizes of 1839 it was 7*s.* too much, while on the county at large the sum was correct, and so the charges went on. There was another case somewhat stronger, which he should be glad to hear the gallant Colonel explain. In the barony of Banagh, there was a contract entered into with Hugh Meehan for 17*l.* 9*s.* 9*d.*, to continue for seven years, and it afterwards rose to 50*l.* 13*s.* 4*d.*—to 40*l.* four different times, and then rose to 50*l.* 13*s.* 4*d.* This, he thought, was a curiosity in its way. He must remark, that it was very difficult to get at the county books; few of them were printed, and when printed, they were not brought into circulation. He was happy to say, however, that he had possession of some of them; and, on looking at this case of Hugh Meehan, he found him put down in the schedule at 17*l.* 9*s.* 9*d.*—that was, he took it, the sum that ought to be levied of the county—while the sum set down in the grand warrant was 50*l.* 13*s.* 4*d.* Thus, while the presentment in the schedule is 17*l.* 9*s.* 9*d.*, which is the right sum,—that placed in the grand warrant and levied off the county appears to be 50*l.* 13*s.* 4*d.*—yet attached to this grand warrant, is the

affidavit of the Clerk of the Crown, to certify its correctness as compared with the presentments. This was for the summer of 1840. It appeared to him, that the whole was a system of fraud—that it almost taxed the credence of the House to place faith in. He had, he must say, gone through the grand warrants of the county with great labour and attention; and he was perfectly satisfied as to the correctness of what he had stated, and what he was about to state. He now went to the barony of Innishowen, where matters were still worse. Robert Mitchell entered into a contract for seven years, for 11*l.* 5*s.* 4½*d.* This sum ought to appear every assizes. It did not do so; one time it was 45*l.* 1*s.* 6*d.*, and another time 22*l.* 10*s.* 9*d.*; and so it went up to January, 1840. Why was there this difference made with regard to this man, Robert Mitchell, unless it was for the purpose of defrauding the county? He should be glad to hear the gallant officer explain this—he should be glad to hear him explain the conduct of the salaried officers of the county—he should be delighted to hear a satisfactory explanation; but if the hon. and gallant Officer could not give him an explanation, he begged that he would not interrupt him. Under the same head of presentments, and to the same person, he found another contract for seven years for the sum of 17*l.* 0*s.* 2½*d.*—this, like the former, should be continued at the same amount each assizes. But at summer assizes 1837, it rose to 51*l.* 0*s.* 7½*d.*; spring, 1838, it was 68*l.* 0*s.* 10*d.*; summer 1838, 68*l.* 0*s.* 10*d.*; spring 1839, 34*l.* 0*s.* 5*d.*; summer 1839, 34*l.* 0*s.* 5*d.*; spring 1840, 34*l.* 0*s.* 5*d.*; summer 1840, 34*l.* 0*s.* 5*d.*; and he found, that under the two last mentioned cases, there had been presented to Robert Mitchell the sum of 316*l.* 16*s.* 9*d.* more than the amount of his contracts for the above period, and of which amount the county was defrauded. He should be glad to know from the hon. and gallant Colonel what had become of this money. He meant now to trouble the House with one case more, and then he intended to proceed to something else. With Peter Hegarty a contract had been entered into for seven years, and the sum to be presented for was 21*l.* 10*s.* 6*d.* That was the sum that ought to have been continued to be presented for at each assizes. In the spring assizes of 1838, it was 86*l.* 2*s.* 0*d.*; in the summer of 1838, it was 86*l.* 2*s.*, instead of 21*l.*; in the spring of 1839, it was 43*l.* 1*s.*; and so to 1840, 43*l.* 1*s.*; and at last, upon this one

presentment, the country had been defrauded of 215*l.* 5*s.* 6*d.* He should be glad to hear the hon. and gallant Officer explain that. These were only isolated cases that he brought forward, and not a tithe of what might be laid before the House. He only mentioned those things that he had gone through himself, that he had investigated closely, and of which he was certain that he was correct in every iota. He must now go back to the assizes of 1841. Previous to those assizes, he had received a letter from Lord George Hill—one he was sure that the hon. and gallant Officer opposite must respect, and one whose very name must ensure the belief, that it would be impossible for him to make any statement that he did not believe to be well founded. He had, then, received a communication from that nobleman, to make an inquiry as to a sum of 3*l.* 3*s.* 4*d.* which was due upon a contract to a poor man named J. M'Bride—a man who was kept out of his money on account as was stated, of a mistake being made in his christian name which was printed "John," instead of "James." He (Lord Clements) brought this case before the grand jury, but they would not listen to it. He brought it then before the judge, who examined the county surveyor, and he having certified that the work was done, the judge asked for the original presentment, when a letter was produced by the secretary of the grand jury to show that the presentment had been forwarded for the purpose of being made the subject of prosecution, notwithstanding that the county surveyor's certificate was produced in court, to show that the work had been performed. There was no seal on the letter. The person who wrote it must have been in the court-house—he must have been present. Why was he not examined? But he must go a little deeper into this matter. That letter was handed to the high minded judge, who could not believe it possible, that a secretary of a grand jury, for the purpose of evading the payment of such a sum, should have resorted to such a device as this—or that he would say, that the presentment had been forwarded to Mr. Barrett if it were not so. The judge then desired, that the presentment should be forwarded to him to Derry, and that he would, upon the receipt of it, come to a decision. What was the result? As the judge was going over the bridge, the secretary of the grand jury laughed at the poor man, for he knew that the commission was

at an end. He would now read the judge's letter. It was from Chief Baron Brady, and stated that he enclosed the papers referring to the claims of James M'Bride, about whom he had interested himself—that he had since written to Mr. Spence about the presentment, but had not received any answer from that person—that he hoped the poor man would receive what he was justly entitled to; but that all power with him (the Chief Baron) to interfere further was at an end—that it must rest with the judge at the next spring assizes. That was the letter of the Chief Baron. His next step was to communicate with Mr. Barrett. Mr. Barrett stated that he had received from Mr. Spence, the secretary of the grand jury, a number of presentments on which to prosecute for non-fulfilment of the contracts; that he had selected some names for that purpose, and returned the list to Mr. Spence; and that on looking over the names of those proceeded against, he did not find the name of M'Bride; and that he had no presentment or bond of any such person; and that he had received no directions to that purpose in 1840 or 1841. Thus it was that they saw this unfortunate man treated, and that, too, by an individual who had the confidence of the grand jury, and who was sheltered by the hon. and gallant Officer opposite. He had one or two strong cases still left. He had compared the warrants of the county, and he wished now to draw the attention of the noble Lord the Secretary for Ireland to this subject, in order that he might see what was done in the county of Donegal. He found that there was a very great discrepancy between the gaol reports laid on the Table of that House, and the returns that had been made by the grand jury. This was most remarkable with respect to the salaries of officers. He was only able to compare them for two years—these were 1836 and 1839. He found 8*l.* put down under the head of "other officers" in the gaol report, and in the grand jury warrant it was 82*l.*; he found officers employed of whom no account was given in the report. There was, for instance, a nurse-tender 8*l.*; there was the keeper of lunatics 20*l.*; a messenger 10*l.*; a providore 40*l.*: besides this, there was the keeper of the bridewells at Donegal and Letterkenny. He did not object to these officers as not being wanting; but he objected to them as not appearing in the gaol report that was laid before that House. In 1839, it was remarkable that almost

every officer in the county had his salary charged twice over. The local inspector, according to the gaol returns, was to receive but 95*l.* 16*s.* 8*d.*, while there was presented for him that year 140*l.* The chaplains were in the one account to have but 90*l.*, while by the other he had been paid 135*l.* The Governor 150*l.*, in the gaol report swelled into 225*l.* when it had to be paid by the county. 140*l.* was to be given by one account to the turnkeys, but 159*l.* was to be levied under the same item from the county. Under the head of "other officers" only, 12*l.* 4*s.* by the gaol report, while the county, it seemed, was to pay them 76*l.* 4*s.* In this year he found officers belonging to the gaol not mentioned in the gaol report. For instance, there was for the keeper of the lunatic ward, a nurse tender more; there was a messenger, and so on. He had now very little more with which to trouble the House; but he must first of all read part of a letter, addressed to the commissioners to inquire into the grand jury laws (whose report has lately been laid on the Table of this House), by the hon. and gallant Officer opposite. [Colonel Conolly: Read it all.] It is too long for that. But the hon. and gallant Officer was asked how he would amend the Grand Jury law, and his answer was to the effect that "many poor persons had sustained grievous losses," like, he would say, to poor James M'Bride, "by inattention and negligence on the part of secretaries to the grand juries. He suggested, that the grand juries should, on memorial, have the power of awarding the amount of loss out of the salaries of such persons, or by giving a remedy by civil action, for any loss thus sustained by the wilful neglect of such persons." Now, he would ask the hon. and gallant Officer if he had, in penning that paragraph, his eye upon any body else than Mr. Spence, or did he suppose that any other secretary to a grand jury could act in the manner that it seemed he was in the habit of doing? He believed not one; and he was sure that the hon. and gallant Gentleman, when writing, must have had before him Mr. Spence as the original for every word he penned, and nobody else. He had now to mention some very curious local facts, just as a sort of wind up. He meant just to show to the House what these gentlemen said of themselves. What, first, said the treasurer?—He was asked if he discharged the duties in person, and if not, what remuneration he gave to the person he employed. His answer was, that

he always discharged the duty in person, but that he employed an assistant. (That is the secretary of the grand jury)—but he makes no answer as to the amount of the remuneration. Then see what the secretary says of himself,—in answer to the question put by the commissioners, as to what offices he held and what emoluments he received in respect thereof. Answer, "I held the office of sub-sheriff in the years 1830 and 1831, was deputy-clerk of the Crown—and assistant-county-treasurer, I received under 20*l.* a year, and from the Clerk of the Crown at first 20*l.* a year, latterly 25*l.*, from persons who passed receipts to the county-treasurer about 20*l.* a year." Thus it is seen that so small has been his remuneration, that he has been obliged to pay himself by laying a tax on those persons who passed receipts, and this without any authority for so doing. But he does not here acknowledge to having been providore of the gaol of Lifford, yet he found presentments to Mr. Spence as providore 1836, 20*l.*—spring, 1838, 20*l.*—summer, 1838, 20*l.*—spring, 1839, 10*l.* With regard to the Clerk of the Crown, this most important fact was admitted by him—that he received fees, though by the act it was not allowed. He said, he received in 1838, in fees, 159*l.*; in 1839, 131*l.*; and in 1840, 174*l.* 2*s.* 10*d.* This individual was asked, whether he had an office in the county, and how many days he had attended during the year. His reply was, that he had an office in the county, and had attended sixteen days in each year, with the exception of 1839. He was then asked, if he had any one else in his office, and replied, that he had, in 1832. Mr. Spence, the secretary of the grand jury, to take charge of his office, and for some years afterwards. He then said, that the greater part of the duties of his office were performed in Dublin. Thus they saw the same officer—who ought to be a check on the secretary of the grand jury, and a check on the treasurer, and whose duty it was to certify the correctness of the grand warrants as compared with the presentments was not to be found in his office, but employed the secretary at a paltry salary in his own office, that same person having a paltry salary also from the treasurer. Was it, he asked, to be supposed as unreasonable that a man who had such arduous duties placed upon him would not pay himself one way or another?—that if he were not paid in the right way, he would not pay himself in the wrong way. He

thought now, that he had shown clearly to the House that there was much that was wrong in all this—that the affairs of the county were not checked and controlled as it was intended they should be—that the consequence was, that much evil was practised, much wrong was done, and much injury inflicted. He now, then, turned to his noble Friend (Lord Eliot), and asked if her Majesty's Government would not be disposed to interfere when he proved to them cases of hardship, and made manifest to them the evil that was committed? He confessed, that he would prefer a commission for the purpose of inquiring into this matter. It would be the better course—it would be that most likely to benefit the county, as well as Ireland at large. That some mode of inquiry should be employed, was most obvious; for he said, that in this case there was as much hardship and fraud as in any case he ever heard of—he did not expect what had taken place with regard to the forgery of the Exchequer-bills. [*Laughter.*] Hon. Gentlemen might laugh, but he thought this a matter of very serious moment, and he repeated that the extent to which these frauds had been carried, was quite as remarkable, as was that of the Exchequer-bills, and the sooner it was put a stop to the better. He confessed, that unless her Majesty's Government did step forward, with the resolution at once to eradicate those evils, it would be perfectly hopeless to expect to see it put an end to. At that moment he did not wish to say the course that he should adopt; but he would wish, if successful, that her Majesty's Government would take up the matter. It might be said, that the Government had not power to interfere with the grand jury; but, then, was it to be said, that they had not power to dismiss the Clerk of the Crown? He was confident, if they investigated this matter, it would be proved that the Clerk of the Crown had been guilty of a dereliction of duty, and that he was unfit for such a situation. Then, if the grand jury would not dismiss their secretary, the Government could take such measures, and put the law in such a form, that they should not have the power to do any more mischief. He was sorry to say, that the county of Donegal was exceedingly dissatisfied with the state of things that was going on. He had heard a great number of complaints from the cess-payers as to the charges upon the county being much higher than they ought

to be. The evils that were now felt had been experienced since the year 1823, and unless her Majesty's Government would enter into an investigation of them, there was no chance of a remedy. He hoped, then, that his noble Friend, with that diligence and perseverance that were usual with him, would undertake this most necessary duty. Unless he received an intimation such as he desired from her Majesty's Government, he must move, in the terms of his notice, for a select committee to inquire into the administration of the grand jury laws in the county of Donegal.

Mr. Morgan John O'Connell seconded the motion.

Colonel Conolly said, the noble Lord laboured under the greatest ignorance of the whole system he pretended to denounce. The noble Lord had utterly misstated all the facts, and most disingenuously asserted what he must have known to be untrue. [*"Cries of Order."*]

The *Speaker* said, the gallant Colonel had certainly dropped some expressions which, on reflection he would regret and retract. The gallant Member could not mean to affirm that the noble Lord had spoken wilfully what was false.

Colonel Conolly said, he was sorry to have been hurried away by natural indignation, at what he felt to be very unfounded charges, he was charged with very gross misconduct, and that, too, upon a matter which he had already explained to the noble Lord; and if he had been carried in any way too far, or beyond that which was the duty he owed to the House, he was sorry for it. He now wished to proceed. The noble Lord had proposed a motion that Mr. Spence was unfit for his duty, and that was not seconded by any person; the motion was negatived unanimously. So far then as related to that transaction. The noble Lord had next charged him with managing two baronies in the county of Donegal. It so happened in these baronies that the three principal proprietors were two other persons and their humble servant then addressing them. Until the change in the grand jury law, it might be said that he represented three baronies in the county—but when it was required that each barony should have a representative on the grand jury, he must say that it was very difficult to get one person to represent each of these baronies. When he was away there was one of them for which the sheriff could not find another person to represent. He

had taken means to have the barony represented by the agent of a noble Lord, but he had not succeeded. As to the presentments it was extraordinary that the noble Lord did not bring them before the grand jury, but should have reserved them for Parliament. It was, too, he said, a very remarkable circumstance, that with all the noble Lord's charges the grand jury were unanimous in their opinion concerning them. With respect to the gross irregularity mentioned, he did not vindicate it, he meant the irregularity of the secretary of the grand jury receiving money for one person instead of another. It was right, however, to state to the House, that it was the brother-in-law of the man to whom the money was to be paid that got it—the parties were jointly engaged in the same transaction. M'Neill had been called away on a Crown summons, and immediately on his return he was given the money. One person was substituted for another, but the man was paid the money, and there was no fraud whatever. There had been a gross irregularity, but nothing more. The statement of Mr. Blake, the Chief Remembrancer, after investigating the account, was this, and he added that there was no withholding the money from the parties. The grand jury had come to a resolution, after a long investigation, and they pronounced without a single exception that Mr. Spence had not been guilty of a fraud, but that he should be reprimanded, and that all works as to contracts should be better regulated for the future. As to the case of substituting "James" for "John" what was the wrong done here? The county treasurer could not pay to any person but the one whose name was in the presentment—so far was this from being a charge, that it ought to be regarded as a matter of praise—that in a country where there were so many persons of the same name, that the officer was careful not to pay the money to the wrong person. The noble Lord had arraigned his conduct and his dealings with the grand jury, when the grand jury in every sense of the word agreed with him. He knew not what was the noble Lord's opinions of grand juries; but this he could say, that the instant the noble Lord came among them, he began arraigning every proceeding of theirs, in the most objectionable and strangest manner. The noble Lord had called the grand jury factious in the open court, and launched out in every sort of way, so that he (Colonel Conolly) had been called on by

the grand jury, as their foreman, to restrain the noble Lord. Now, he would leave it to the House to say whether the grand jury of Donegal had done their duty, when he could declare that the last grand jury he was on he had the happiness to hear Baron Pennefather pronounce a panegyric upon them. He who had been so many years a grand juror had only a remark to make upon the statement of the noble Lord, so short a term a grand juror—that they were remarkable for their ignorance. The noble Lord was not aware that sums not paid by the treasurer went to the benefit of the county. If a presentment was short one half-year in the county, then they had another presentment to make it up for the three half-years. That was a thing that they did constantly in the county of Donegal. Mr. Barrett was the quarter sessions solicitor, and the grand jury having directed certain presentments to be sent to him for prosecution, Mr. Spence could produce only one, on which so much stress was laid by the noble Lord. The presentment could not be produced, because it had been sent to Mr. Barrett. The grand jury did prosecute certain persons as defaulters. The names of those not selected for prosecution were sent back, and those selected to be made examples of were retained by Mr. Barrett. No men could act better than the grand jury of Donegal, and it was with exceeding wonder and indignation that he found a body of gentlemen attacked of whom he had so long an experience, who were of the highest respectability, and who were utterly incapable of doing an intentional wrong. And now what did all the noble Lord's charges against them amount to?—the serious irregularity of Mr. Spence, which was not to be excused. As to himself being inculpated in any such thing, he was really astonished at the noble Lord, for he must know as well as any man, that he was incapable of it. ["Lord Clements had already said that the gallant Officer thought he was."] But where did the noble Lord stop in impeaching every act of the grand jury, and attacking it with every sort of expression. He asserted that the noble Lord had attacked every body and everything, by imputing the most improper motives to every act of theirs. It was really shameful to see the business of the country impeded by the unjust aggressions of the noble Lord. An allusion had been made by the noble Lord to Mr. Alexander Stewart—that gentleman had

been for many years the representative for Derry, and was well known to every Gentleman in that House. He was almost ashamed to have to vindicate the character of Mr. Stewart, all he would say was this, he would be very happy to partake of Mr. Stewart's fate in the estimation of that House, various other items had been alluded to by the noble Lord, but he did not mean to reply to them. He thought he had said enough, and now he must say that he was utterly at a loss to understand why the noble Lord should have brought this matter before the House. The judge who had examined into all the allegations of the noble Lord, had been perfectly satisfied with what had been done by the grand jury, and took no steps, in consequence of the suggestions of the noble Lord. He would say, as the foreman of the grand jury that he had always objected to wrong presentments, and that the grand jury only acted for the interest of the county, and were always influenced by the highest sense of duty in every portion of their acts.

Sir E. Hayes defended the grand jurors of the county of Donegal against the charges so unwarrantably brought against them by the noble Lord the Member for Leitrim. The noble Lord had arrived in that country, never having served upon a grand jury, and opposed himself to all the experienced grand jurors of the county, of all parties, and in every division which the noble Lord had taken upon the grand jury, in the question he had that night brought before the House, the numbers had been twenty-two on the one side, and the noble Lord himself on the other. And he must say, that it would be much more becoming of the noble Lord, instead of bringing unfounded charges against his hon. Colleague and the resident gentry of the county of Donegal, who were spending their time and their fortunes in improving their properties and bettering the condition of their tenantry, that the noble Lord should look after his own tenantry in that county, on a property where there was no resident, and in the improvement of which he believed there was not sixpence spent in the year.

Lord Clements observed, that notwithstanding the style and manner in which the hon. Baronet had addressed the House with regard to himself, he was determined upon not being misrepresented. He had distinctly guarded himself against charging the grand jury with being influenced by

improper motives. He did not say that the grand jury was guilty of fraud, but that the secretary of the grand jury was guilty—that things were done with regard to the road presentments for the purpose of fraud; and if he got a committee he would prove this—nay, if the hon. Baronet would take the trouble of going over the books, he would prove it to him.

Mr. Litton vindicated the character of the grand jury of the county of Donegal. He had been twenty-five years as a practising barrister acquainted with the grand juries of the county of Donegal. During fourteen years of that time he was entrusted with the Crown prosecutions on the circuit, and during all his experience he had heard from the Judges of the land the highest commendation of the diligence and integrity with which those grand juries had always discharged all their duties. He considered that the appointment of a committee such as that called for would be casting a slur upon the gentlemen of that county, and it was but justice to them to scout such a motion from the House.

Sir W. Somerville bore testimony to the honour and integrity of the gentlemen of the grand jury of Donegal; at the same time it was manifest that the gross irregularity had taken place; and if the motion were pressed to a division he should vote for it, without at the same time meaning thereby to cast any imputation upon the grand jury.

Lord Eliot opposed the motion, and would state shortly the grounds on which he would oppose it. His noble Friend opposite had brought forward charges on two distinct grounds, and these had been answered by his hon. and gallant Friend behind him. One of these had been brought under the consideration of the law officers of two successive Governments, and they agreed that there was not any case in which any legal proceedings for fraud could be instituted, and this view was coincided in by the Chief Remembrancer. If his noble Friend opposite had been able to show that any malversation on the part of this individual had been screened by the grand jury, there might be some ground for inquiry. But, so far from this having been the case, the grand jury of the county of Donegal had on one occasion visited the conduct of this individual with a severe penalty, and in the other instance with a severe and grave censure. Under these circumstances he did not think the noble Lord was justified

in taking so strong a course, or that he would be justified in acceding to the motion.

Mr. *Shaw* said, that there was one circumstance connected with the present case which he felt it his duty to state in corroboration of what had fallen from his hon. Friends the Members for the county of Donegal, and in justice to the public officer, Mr. Spence, secretary of the grand jury of that county, it was this, that he had heard Mr. Blake, the Chief Remembrancer, observe upon the statement which had formerly been made by the noble Lord on the subject in that House, and express his surprise that the noble Lord should have designated what had occurred as a forgery, inasmuch as Mr. Blake, though he considered it his duty as a public officer to point out the irregularity which Mr. Spence had committed, yet that he had not attributed any wilful fraud or moral offence to Mr. Spence in the transaction. Under these circumstances he could not but consider that the noble Lord was wholly unjustifiable in applying to Mr. Spence the strong language in which he had indulged in the course of that debate.

Mr. *M. J. O'Connell* maintained, that malversation in the management of the funds of the country was proved, or at least strongly presumable, against the accused party, and he therefore should support the motion.

Mr. *Sergeant Jackson* said, it was impossible the House could be required to investigate the money transactions and accounts of every county in Ireland. The motion ought to be met by a direct negation.

Sir *R. Ferguson* admitted that great irregularity had been committed in this instance, but the proper place to try the question was before the grand jury of the county.

Lord *Clements* replied. He was not, he said, in the least degree surprised at the conduct of hon. Members opposite, but he denied that any answer had been given to the statements he had made. He was only surprised at the conduct of the noble Lord, for he had had the papers before him, and he might have made inquiries into these abuses. He must say that a more presumptuous speech than that of the hon. and learned Member (Mr. Litton) he had never heard. He told that hon. and learned Gentleman that if he stood alone—if he stood by himself—he should feel proud—he repeated the words,

he should feel proud of standing by himself, as long as his conscience told him that his conduct was in the right. But he would tell the hon. and learned Gentleman a little more: he did not stand alone—he was proud to say, that he was supported by Gentlemen who differed from him in politics. He regretted that this had been made a party question by those opposite; but he did not bring it forward in that spirit. He regretted still more to find the part the Government had taken with regard to it; but now that he saw the Government was determined to resist it, he gave notice that the matter should not rest here. He meant to recommend to the cess-payers of Donegal not to pay the county cess—to allow themselves to be distrained; and on the distraint taking place, bringing the question before the Court of Queen's Bench, to try the thing in a legal way. It was also his intention, early in the next session, to bring forward a bill for the regulation of presentments. Hon. Gentlemen might successfully resist his motion; but he told them it was not in their power to defeat him in the just cause to which he had devoted himself.

Motion negatived.

House adjourned.

## HOUSE OF LORDS,

Friday, July 1, 1842.

MINUTES.] *BILLS.* Public.—1<sup>st</sup>. London Bridge and Royal Exchange Approaches; Stock in Trade; New South Wales.

*Private.*—Reported.—Lord Southampton's Estate.

3<sup>d</sup>. and passed:—Duke of Bridgewater's Trustees Estate. Received the Royal Assent.—Justices Jurisdiction Act Amendment; Copyright; Public Houses; Municipal Corporations (Ireland); North American Colonial Association of Ireland.

PETITIONS PRESENTED. By the Duke of Leinster, the Earl of Mountcashell, and the Earl of Glengall, from Several Charities and Dispensaries (Ireland), against the Medical Charities (Ireland) Bill.—By the Bishop of London, from Colliers and Miners of Dodworth, Wakefield, and Hayland, against Employment of Females in Mines.—By Lord Brougham, from the Liskeard Institution, to Exempt Literary and Scientific Institutions from Rates and Taxes.—By the Earl of Fingall, from Oldham, to secure Religious Instruction to Roman Catholics in the Army and Navy.—From Inhabitants of York Street, Portman Square, for the Redemption of Tolls on Metropolitan Bridges.

PROTECTION TO WITNESSES (SCOTLAND.)] Lord *Campbell* said, as inquiries had been made from various quarters as to whether he intended to introduce a bill to alter the law of Scotland respecting the examination of witnesses, touching their religious opinions, he begged permission in a few sentences, to state what his views



and intentions were upon this subject. As introductory to that, he had to state that he did not propose during the present Session of Parliament to bring in any bill to alter the law of Scotland respecting examinations about the religious opinions of witnesses, and for this reason, that after diligent inquiry and mature deliberation, he was convinced that the law of Scotland did not differ from the law of England in affording protection to the character and conscience of those who were summoned to give evidence in a court of justice. He would wait, at all events, till the question was more deliberately considered, and more solemnly determined by the Scottish judges. It had come by surprise upon the two learned judges who presided at the late trial at Stirling. Although they had adhered to the opinion then expressed, they had heard no argument on the case, and the opinion of only one other judge was vouched on the same side. Whether others might not concur, he could not pretend to say; but he had undoubted authority for saying that the judges were by no means unanimous in approving of that exposition of the law. He trusted that if the question should again arise on the circuits, it would be reserved for the decision of all the judges in the Court of Justiciary in Edinburgh. To that decision he would most implicitly and respectfully bow. But at present he could not help anticipating that it would be against the admission of extraneous evidence as to the creed of the witness, as well as against an inquisition into his particular religious opinions. In no Scotch law book was it laid down that such a course could be pursued, and no instance could be cited in which such a course ever had been pursued. He would most respectfully suggest that the mistake might have arisen from the practice pursued under totally different circumstances. When an objection is made to the admissibility of a witness on the ground that he is interested in the suit, or that he has received a bribe, or that he entertains enmity to one of the parties, which could only be proved by malicious acts;—in all these cases a collateral issue of facts is joined which may be tried by conflicting evidence. But whether a man, when he is to be sworn, believes in a God, can only be known to himself and that omniscient Being to whom he is to appeal. Should it turn out that he was mistaken in the view he took of the

law of Scotland, he would bring in a bill to alter the law, as it ought not to be endured that in any part of the British dominions any individual, compelled to appear in the witness box might, without notice, be put on his trial for blasphemy. He was informed that Simpson, so harshly treated at Stirling, was, by reason of what then took place, dismissed from his situation as a police officer and utterly ruined, in circumstances as well as in reputation, and, according to that principle, a similar fate might await any others, however eminent and respectable.

Adjourned.

## HOUSE OF COMMONS,

Friday, July 1, 1842.

MINUTES.] NEW WRIT. For Buckinghamshire, *vide* Sir W. Lawrence Young, Bart., deceased.

BILLS. *Public*.—2<sup>o</sup>. Ordnance Services; London Bridge Approaches Fund; Prisons.

*Committed*.—Linen Manufactures (Ireland); Charitable Pawn Offices.

*Reported*.—Districts Courts and Prisons; Primrose Hill; Fisheries (Ireland).

*Private*.—3<sup>o</sup>. Earl of Devon's Estate.

*Reported*.—Hawke's Divorce.

PETITIONS PRESENTED. By Viscount Marham, for Extension of the Church of England, and for the Amendment of the Tithe Commutation Act.—By Mr. Lewther, from Saxton, Bryam, Aushorpe, Hambleton, Swillington, Snidale, South Milford, Darrington, Micklesfield, and other places, against the Repeal of Gilbert's Act.—By Lord Bernard, from Templebreedy, for Alteration of the Present System of Education in Ireland.—From Bantaskine and Callender Collieries, in Favour of, and from Colliers, etc. of Midlothian, against the Mines and Collieries Bill.—By Mr. Dugdale, from Birminghamshire, in favour of the Manchester and Birmingham Police.

BRIBERY.] The Order of the Day for the further consideration of the report on the Bribery Bill was read, and, on the motion that the bill be re-committed,

Sir W. Follett said, the bill in its present shape, had been only twenty-four hours printed, and therefore he had not examined it minutely. He had gone enough into it, however, to see that, as the clauses were now drawn up, it would be impossible to carry the bill into effect. The same feeling existed on both sides of the House that the bill should be effectual, and he thought the better course would be, to refer it to a select committee, for the purpose of having it put into a shape in which it might be more satisfactorily discussed by the House. The noble Lord might frame the committee in such a manner that it would be likely to carry his intentions into full effect.

Mr. C. Wood had come to precisely the same conclusion as the hon. and learned

Gentleman, and thought it would be the best plan to refer the bill to a select committee of no great number, who might put the bill into such a shape that the House could discuss it with advantage.

Mr. *Mackinnon* would not interfere by the motion of which he had given notice, with referring the bill to a committee up stairs, but he thought it could not be improved without altering the principles, and should oppose it on the third reading.

Bill to be re-committed to a select committee. To be nominated.

**DISTRESS OF THE COUNTRY.** The Order of the Day for going into committee of supply,

Mr. *Wallace* rose to bring forward the motion of which he had given notice, upon the distress of the country. It was his anxious desire to bring forward the information he wished to communicate in the way least likely to lead to any sort of excitement amongst those most deeply affected by the object of his motion. His object was, that there should be a discussion in that House with a view of bringing out the actual state of the distress which pervaded the kingdom from one end to the other. Whilst he would devote his attention chiefly to the localities with which he was acquainted, and which had, in a manner, entrusted him with their cause, he would invite other hon. Members, representing constituencies similar to his own, to state the extent and particulars of the distress which they knew to exist. He would illustrate his statements by examples which could be denied, so as to enable the Government to take into their consideration the present wide-spread and unprecedented distress. He thought he should best discharge his duty by entering at once upon the task which he had laid down for himself. In the first place, he would call the attention of the House to the state of the mercantile metropolis of Scotland. He would bring forward no information, verbal or documentary, respecting which he was not prepared to give the name of his informant to her Majesty's Ministers, or, if it were required in a manner respectful to the individuals, he would not withhold the names of his informants from any Gentleman at either side of the House. His only object was, that the whole truth should be known. He might state, in the first place, that he believed no class, nor any locality con-

nected with the trade of the country, enjoyed, in any degree, that prosperity, or that degree of employment, without which society in the country could not continue to exist. But it would be better to confine himself as much as possible to the documents on the subject. The first was a letter from Glasgow, dated the 11th of June. It stated—

"That trade is in a much worse state than it was here in January last. The number of unemployed has been increasing steadily during the last six months, and the number of persons upon the relief fund here, at present amounts to 12,000. This, however, does not show the numbers who are out of employment, as individuals do not, generally, apply for relief, while they have the means of support by selling or pawning their furniture or clothes. Wages have fallen in every department of trade, and the prospect is that they will continue to fall. The mill owners and manufacturers have very recently discharged a large portion of their workers, and the general feeling is, that they will continue to do so to a much greater extent."

The next was a letter dated the 18th of June:—

"This town is wofully stricken; for to-day 4,250 rations of bread and soup have been furnished, which, on a moderate calculation, may be partaken of by from 8,000 to 10,000 individuals. There are 1,000 men employed, but there is reason to believe that ten times that number in the city and suburbs are out of employment. Still there has been no efficient inquiry instituted by the authorities. Great and unobtrusive suffering exists among orphan families, widows, and aged spinsters. I am indeed sorry I cannot render you more efficient service in the way of information, as the mystery preserved by the relief committee renders it impossible. The nature of the work given is found to be a complete barrier to numbers who are emaciated and weakened by hunger."

The next was a printed document respecting the employment of the poor in Glasgow; and its statements, he believed, were perfectly correct.

"We have experienced considerable difficulty in procuring anything like accurate information on this important but painful subject. A want of hearty and necessary interest at first, gave place to a defective and ill-organized mode of granting relief; and we believe it is only within this day or two that a probably efficient system has been adopted. There are about 1,000 men engaged in all—300 in removing a hill near the lunatic asylum, 500 at stone breaking, and 200 supplied with webs. Those on the hill have been paid, until able to earn the amount, 1s. per day, besides, in numerous cases, being supplied with butter-

milk, soup, and bread. The stone-breakers have been less fortunate; they have had no shilling a day granted to them; many soft of hand and weak in body not realizing above 4d. per day, although individuals with families have been materially assisted with rations of soup and bread. Other workmen, however, have no difficulty in making 1s., and even 1s. 3d.—which last is the highest amount allowed for a day's wage.

Now, he must say, that he concurred in the observation that the House was not sufficiently informed on the subject of distress that existed in the country, and it was in that situation, because there had been no authorised inquiry into the state of the inhabitants of the country. Throughout the country there was a general anxiety to conceal the state of matters, and to prevent them from being known to her Majesty's Government. It was his belief, from the numerous letters he had received, that the fact was as he had stated, that there was an anxiety in many quarters to conceal the unparalleled distress that now prevailed. He in reference to this subject, should read another communication from Glasgow:—

“During the last week there have been several large meetings of a portion of the unemployed in the Green, where the causes of their present distress, and the best mode of alleviating it, having been amply discussed. At a meeting of this kind on Thursday, it was resolved that, on the following day, they should proceed *en masse* to the city, for the purpose of soliciting charity. On Friday afternoon, accordingly, several hundreds of them assembled at the Royal Exchange, with a view, it appears, of commencing their tour of mendicancy through the city, by soliciting assistance from the gentlemen who attend the room. A benevolent gentleman, whose sympathies were excited by the appearance of so many of his fellow-creatures seeking bread, resolved on spending a sum of money for the purchase of loaves, and proceeded, accompanied by the greater portion of the unemployed, to a baker's shop in Argyle-street, where he bought a considerable number of loaves, and handed them out to the crowd, by whom they were greedily accepted. The pressure, however, became so great, that the police were forced to interfere, and for the protection of the gentleman himself, who was pressed on all hands by the crowd, he was taken to the police-office, where he was of course at once set at liberty by the lieutenant on duty. The unemployed again returned to the Exchange in considerable numbers, and loitered about for some time, when they were informed by the superintendent of police that they could not be allowed to congregate together in the streets, but that if they wished to hold any communication with

the authorities they had better repair to the City Hall, which would be opened for their reception. The entire body then moved off to the City Hall, from whence they sent a deputation to wait on the Lord Provost, to whom his Lordship explained the measures which were taking by the relief committee for the supply of their wants, and urged the impropriety of their assembling on the streets in the tumultuous manner referred to. The deputation expressed themselves satisfied with his Lordship's statement, and promised to use every effort in their power to prevent a repetition of the scene which had that day been exhibited. This promise, we have reason to believe, the deputation fulfilled to the utmost; but, in spite of their solicitations, it was resolved, at a meeting afterwards held, to assemble again on Saturday at the Royal Exchange. On Saturday forenoon, in terms of this resolution, a large number met in front of the Exchange, but, upon being remonstrated with by the police, they went away.”

In the paragraph he had read would be found a fact that was unprecedented in the annals of Glasgow, namely, that a gentleman, moved by the misery of which he was an eye-witness, should go into a shop in the city of Glasgow, put his hand in his pocket and purchase the contents of a baker's shop to distribute them to the poor. He had now to call their attention to the numbers of unemployed in Glasgow.

“The unemployed are still increasing, notwithstanding the vigorous efforts of the relief committee to continue them at the miserable employment which great numbers of them eagerly compete for. There are, altogether, upwards of 1,000, with daily applications from scores of other ‘miserable wrecks of men. The following may be considered as a fair estimate of those engaged at work, such as it is:—

Working as labourers on the Milton	
Estate .. .. .	300
At the Quarry Hogganfield .. .	20
Breaking stones, &c., at Duke-street	240
Do. do. Parliament-road .. .	180
Point Look-out—Garscube-road ..	70
Weaving .. .	250
Cleaning Gallowgate-burn .. .	20
Do. March-burn .. .	13

1,093

Besides the above, about 2,000 persons are supplied with bread and soup daily, at the premises in St. Enoch's Wynd. For the poor miserable souls reduced to these sad alternatives, we are entitled to state, that those in employment at manual or other labour are assiduous and attentive, while all are grateful and thankful. We may also state that the above does not by any means include all the unem-

ployed of Glasgow. There are hundreds starving in misery and rags, who could not bear the thought of being marshalled up to the soup kitchen, for an allowance of the pauper's fare, and thousands besides, who could neither break stones on the highway, nor rake the mud out of such filthy drains as the Gallowgate-burn."

That, he believed, to be a true and just picture of the condition of the people. It had appeared in the public papers printed in that city; and he had now to read a letter from a friend of his, who had good means of ascertaining the truth. The letter was dated the 14th of June:—

"Trade is much worse since January. Many mill-owners, &c. dropping their hands, and more expected to do so. Many persons think that matters will be even worse yet, and a general heavy and gloomy feeling pervades society. In the home trade, something has been doing lately, arising from the usual demands at this season of the year, but this demand is now over, and the home trade has also become heavy. On applying to-day at the office of the relief committee for the unemployed, I find about 3,000 heads of families for the city and suburbs, out of work, and the rough calculation is that about 12,000 persons are dependent on this fund at present. Besides these, many individuals are supposed to be without employment, but who have not applied for relief, having some small means of support left, by pawning their clothes, furniture, &c. Such is the state of things, which it is the pleasure of two-thirds of your honourable Houses of Parliament should exist in this once flourishing community. Our trade is drying up, its foreign springs being in a state of gradual diminution, and our home trade will decay along with it. We are a doomed people. The curse of aristocracy is upon us."

He believed that to be a true, and brief, and very faithful account of the situation of Glasgow. Glasgow was surrounded by many manufacturing districts, and he was prepared to state that in all of them there was the greatest distress amongst the manufacturers, shopkeepers, shippers of goods, and in all the various trades connected with the manufacturing interest. He had now to turn to a community which had once been very thriving. In Kilmarnock the carpet trade had hitherto been very thriving—as thriving as any in the kingdom. He meant now to read to the House a description from one through whose hands the funds passed for the relief of the distress. The letter was from Kilmarnock, dated June 18:—

"During the time I was engaged lately to distribute some 40*l.* among the unemployed,

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it was heart-rending to hear in detail the amount of misery and destitution related by some of the recipients, who declared they had neither meat, coals, nor clothing for a long time, having sold every saleable article they had previous to making application for relief. I shall only give one shade in this picture of human misery. One day a person applied to me to lay his case before the committee. He had been out of employment since January. His wife had been badly for some years with asthma, and had not one bit of meat either for her or himself. I knew the man to be a respectable resident in the place, and he was well known to the whole of the committee to be so. He received 1*s.* 6*d.* They could not give him more owing to the pressure of the applicants, the place being sometimes literally mobbed. This case is but a fair sample of scores of beings who were served with ninepence each, the most ever given to adults, and 3*d.* for each child, and I am conscious that scores of them could be found at the present moment who are dragging out a miserable existence, 'who have no kind eye to pity, nor hand to help;' who cannot find work, and who are unable to break stones, or work at outdoor labour. These are but the outlines of a true drama in living character, and if presented to the optics of our aristocracy, would tell them a tale which, if not calculated to promote sympathy, might induce fear."

The next was a letter from a person well acquainted with the working classes, it was dated Kilmarnock, 20th June:—

"At no former period were the working classes here so ill clad and ill fed, and so utterly unable to pay the rents of their houses, or the little debts which they have contracted; and I am informed by the captain of police (who knows the state of the people better than any man here) that an immense number of the working classes have sold or pawned every article they could bring into the market—that now they have nothing in the shape of personal property to fall back upon, and that the most precarious employment, and the most scanty wages, alone stand between them and starvation. An immense number of emigrants have left this place, and many hundreds are anxious to go, if they had money to pay their passage, to Canada. They are willing to risk any conceivable calamity, rather than remain where evident starvation awaits them. May God grant that your attempt on the present occasion may be attended with favourable results."

A letter from Kilmarnock, dated the 14th June, runs thus:—

"The working classes every where are now completely sunk into a state of heartless apathy, as regards their hopes of parliamentary benefits."

He said that the working classes ought not to be allowed by Government to fall into such a state of destitution, that they should

have abandoned all hope of relief from a united Parliament. Now, it would be his endeavour to bring their case in such a way before the House that, if the poor could not have relief, they might at least know there was some sympathy entertained for their sufferings. He came now to that ill-fated class, of which they had heard so much, and yet had not heard all the truth, as to its sufferings. According to the petition which had been presented the other day it would be seen that the poor people of Paisley felt that their situation had been badly considered, however good was the intention. The letter he had now to read was dated Paisley, the 19th of June:

"I see from the papers the manner in which the Government have shuffled out of their conduct, in the Duke of Wellington's answer to Lord Kinnaird. It is quite clear that unless some great effort be made to secure provision for the starving manufacturing population, during the approaching winter, by such a motion as yours, Parliament will be adjourned, and they will be allowed to starve and die, or to have their lives preserved by the bounty of their neighbours in any way it can be attained. Here things are looking worse and worse at present, the time for making preparations for the autumn trade is at hand, and our most experienced manufacturers assure me there is no prospect whatever of the great mass of the unemployed being taken up this year."

The next letter alluded to the funds of the committee, Great King William Street, and their disposal of them was dated Paisley, June 20:—

"The stocks of coarse goods made for the manufacturing districts and American market are still heavy, there having been no sales in these markets for long, and no appearance of any. The clergymen's committee was formed at the beginning of winter, to meet a special case. The members of churches had, in general, been able to maintain themselves. They are generally thoughtful and well doing. But the distress had been so long continued—no hope of amendment—the winter intense, many of them suffering very severely, and yet ashamed to go down to the level of a common pauperism. They had always been a rampart against pauperism, and we wish to maintain their spirit of independence, and furnish supplies in a way as little likely as possible to interfere with it. The clergy of the various denominations agreed to issue a circular to the churches, to enable us to make collections. Our application met with a liberal response. It was designed at the outset, that we should act independently of the general relief committee. This was departed from, to avoid any appearance of schism. We agreed to

pay over to the general committee the sums which we received, on the understanding that we should from time to time receive such sums again as we needed, after having stated our case, and when the committee had judged and determined in the matter by a vote. On the whole, the arrangement wrought well, and an immense deal of good was done. The ministers in this way distributed upwards of 3000*l.*, assisted by all the sessions of the various churches, established and dissenting. Some express surprise that the young men here generally do not enlist. They should know that Scotchmen never do so when sober. They are too reflective for that. If they wish them to enlist, let them furnish them with work and good wages. The more thoughtless will get drunk and then enlist, but not till then. The very lowest of the people are getting more civilized in reference to war than some who rule over them."

This letter, it would be perceived alluded to a very curious fact, that enlisting was not going on in Scotland. The letter was written by a most pious clergyman, beloved and respected by all who knew him, and who in his charities and demeanour made no distinction between his own sect and that of others. He could give the same high character to the clergyman whose letter he was about to read. This gentleman was a clergyman of the established church of Scotland, and his politics, he believed, those of the hon. Gentleman opposite. The letter he was about to read was dated the 25th of June:—

"1. My opinion of the whole scheme of the Government interference with our local charity has been from the beginning (and every day confirms it), a most uncalled for thing—that it has done much mischief—that it has increased greatly the expense instead of lessening it, and that the persons at the head of it here have showed themselves totally ignorant of the habits of the Scots. 2. I have all along contended strongly against the plan of stores, because they degrade the minds, and condition, and feelings of our more respectable operatives. Because there are many very necessary articles for families which the stores do not and perhaps cannot provide, and because the articles in the stores are often of bad quality, while the superintendence—a very expensive thing, too—can never be so strict as that of an honest man over his own concerns. Moreover, the villages do not get anything from the stores; and why should their inhabitants be put upon a different footing from the town?—3. With regard to the recipients from the stores I may say, with perfect accuracy, that they are thankful for what is given them, while they feel that it is given in an ungracious way, and I am certain that the difficulties of

winter were conquered, and the peace of the community preserved by a system precisely the reverse of what is now going on—a system, more economical by far than the present, and a system which consulted the feelings of the people as human beings, while it sympathised with them under distresses for which they assuredly were not responsible.—4. Any reduction in point of numbers on the lists, as effected by the new men, is more ideal than real. The result of two scrutinies, made for the very purpose of finding fault, has confessedly confirmed the substantial accuracy of the whole.—5. A grievous act of injustice has been done by the commissioner, and is going on, viz., the refusal to give in any case, above 6s. a-week to one family, however large, coupled with the rule, that a lad above sixteen counts as an additional case, though living under the same roof. The effect of this has been, that in some cases 16s. has been drawn by one family, while another, larger far, but all under sixteen, gets only 6s. This was stated to me yesterday by two magistrates.—While the men at out-door work have been provided, very properly, with barrows and other implements, their repeated petitions for shoes have been harshly rejected. . . . The more I reflect on the state of our town, the more I am convinced that nothing will save it and the commercial interests of the country but a total revolution in the commercial tariff, and a sweeping away of all restrictions.”

He had also to read the following, and to bear testimony to the sentiments of gratitude entertained for what had been done by her Majesty with respect to the Paisley manufacturers. The letter was dated Paisley, June 20 :—

“ From a return just made up and shown me to-day, the number of cotton-spinners, machine-makers, and so forth, idle, in Johnstone, is 1,254. The number employed is only 993. About seventy persons have been transported to Canada from Johnstone, by subscription, to lighten the pressure. Trade here has been going back for some weeks, and still continues to do so. A shawl merchant told me to-day he usually employs 500 weavers for the American market at this season; this year he has not one, and does not expect to have one for some time. The prospect of the new American tariff, he assures me, has completely closed that market against Paisley goods. The Queen’s shawls were the principal cause of our slight revival in spring. That class of goods affords to the weavers good wages, if they are continued at the same pattern. They have not been continued in general, and in consequence the weavers’ wages have been eaten up by the changes in the mountings of their webs. The condition of the people here is most alarming, and the House of Commons should be implored to do

something for them, and others similarly situated, before it breaks up for the season.”

He had now to call the attention of the House to the fact that he had a few days before presented a petition from Paisley, signed by 6,000 persons. This was the petition to which he had now to call their attention. The hon. Member read the petition, which set forth—

“ That, owing to a long and severe depression of trade, thousands of the most industrious of the inhabitants of this place have been subjected to great privation and suffering; a large portion of them have been compelled to part with every article that would sell or pledge, to sustain the lives of themselves and suffering families.

“ For these ten months past many thousands of them have been entirely dependent on public contributions received from the humane, in this and other countries, by a committee, composed of the magistrates and other influential gentlemen belonging to the town and country, and which contributions were given to the sufferers in tickets, bearing the value of 1s. 2d. per week to each individual, or the small sum of 2d. per day, being less than one-half of the allowances given to common felons in prison. So inadequate is the small sum given, that many parents, to suppress the calls of their starving children, are obliged to want food two days in the week; yet, under these painful circumstances, they are compelled to labour ten hours in each day.

“ That your petitioners take this opportunity of informing your honourable House, that the inadequacy of the allowances given to the operatives of Paisley, and which has been the cause of so much suffering, is a disgrace to a civilized people; it is undermining the constitutions of the sufferers, and hastening them and their families into untimely graves. Such treatment is at utter variance with that noble maxim laid down by the Founder of Christianity, and ought to be the ruling principle with all Governments, ‘What ye would that men should do to you, do ye even so unto them.’

“ That your petitioners cannot stand silently by and witness such cruelty, which, if not speedily counteracted, may drive the people to desperation, and by so doing endanger the peace of the country. That it cannot be expected an intelligent, industrious, and brave people, will continue well affected to a Government which allows them to be treated worse than convicted felons. That while the unfortunate inhabitants of this place have been thus denied a sufficient allowance of food, they have also suffered much from the want of bed and body clothing, and although several hundred pounds were expended by the relief committee in procuring for them those articles, it did but little to mitigate the sufferings of the destitute thousands.”

[The hon. Member next referred to a notice of a contract for provisions, which having been issued without a name, led the people to a belief that this course had been adopted with the view of obtaining provisions of bad quality, mere trash, because no person was signified on whom the responsibility for the quality of provisions accepted should fall.] He now came to a petition adopted by twenty-three men, heads of families, stone-quarriers to the provost of Paisley. The petition stated:—

“The under-mentioned fathers of families, employed at the stone quarry, having to maintain their wives and from four to eight children under sixteen years of age, without any other income than the supply-line of 6s. weekly, being not more than 1½d. per day for each individual, if paid in money in place of the store line, which makes it much less—less than what is necessary to maintain healthy existence, being, in fact, a state of constant punishment.”

Then followed the names of the petitioners, forming a list of twenty-three persons, having 116 children under sixteen years of age, being an average of five children to each, who, with their parents, making seven in each family, were supported upon the pittance of 10d. per week each. He would now read a letter from a clergyman of different political opinions from the worthy minister whose opinions he had before cited; this letter was dated the 21st of June. [The hon. Member read the letter, which confirmed the statements made in the petition, and added]—

“The simple fact that whole families, of from six to ten persons, are compelled to subsist upon 6s. a week, averaging the miserable pittance of 1d. a day for each individual, in some cases a little more and others a little less, many of them wanting food for two days in the week—should of itself be sufficient to obtain the effective interference of the Legislature. I have visited much among the unemployed, and I can truly say, that I have beheld in one short hour, in the homes of honest and industrious men, loyal subjects of the British throne, more misery from unrelieved destitution than ought to exist in any community where there is not an actual famine. I have seen suffering in every form to such a fearful amount as to render more than doubtful the intentions of those who have hitherto professed to help us by their committees and other agents, whether their object is to keep the people alive, or to starve them inch by inch—if they have not in reality, like the poor man in the fable with his horse, got the notion

into their heads, that by a little skilful training they can, in these hard times, teach the people to live upon air. The treatment of the people, when their condition was perfectly ascertained, by successive governments, has confirmed an opinion very generally held, that neither of the two great factions are capable of holding the helm in the present emergency, and if the vessel of the State is to be carried safely and without a revolution through our ‘sea of troubles,’ it must be by an extraordinary exercise of the regal power by our brave and patriotic Queen, or by a large infusion of the popular will into the councils of the Legislature. Let me then say, what we need, and must have if you would prevent fatal consequences, is an immediate and sufficient provision for the destitute, either by an order in council, enforcing a local assessment, with instructions for a fixed and specified relief, for which I believe there is constitutional authority—or by a similar aid from the public purse.”

The documents which he was now about to read were of a most distressing nature to him; they referred to the town with which he himself was connected, and which he had the honour of representing. That town had long been a pattern, both to Scotland and England, for the industry of its inhabitants, and the skill which they brought to bear upon the various branches of labour carried on there. It was renowned for ship-building, and last year no fewer than six steam-ships, intended to navigate the Atlantic, were to be seen there upon the stocks at the same time. The town was once full of business; it would have been difficult to have found an idle man in it: but now many of the artisans had emigrated to distant shores. They were there employed in building ships and steamers for those nations who were our most dangerous rivals in commerce; but they would find in the countries to which they had emigrated that prosperity which was due to their industry and skill. He would read to the House a letter which he had received from the chief magistrate of Greenock, on the subject of the distressed state of that town. It was dated 14th of June, and was as follows:—

“I am sorry to say that the distress among the working classes here continues unabated, and there is no immediate prospect of amendment. The number of persons employed by the relief committee at present, chiefly in breaking stones for road metal, exceeds 400. These, with few exceptions, are men who have families depending upon them, and including such dependents, the total number upon the relief fund may be about 1,700, exclusive

altogether of the ordinary poor receiving parochial aid. Among those who are thus compelled to throw themselves upon the public for support, there is a considerable number of mechanics, such as carpenters, joiners, and others, who have been quite unaccustomed to apply for or accept charitable aid in any shape, and who, by pawning their clothes and furniture, kept off the public fund as long as they possibly could. The wages paid the workmen may average about 1s. per day. The sum which has been raised by subscription for the relief fund is about 1,700*l.*, exclusive of fully 600*l.* which we contributed a few months ago to the relief of Paisley, before the pressure came to be so severely felt at home. Of the money that has been raised, we have not at this moment enough remaining to pay the low rate of wages above-mentioned for the current week, and how we are to get on afterwards I really cannot say. The prospect is distressing in the extreme; for the numbers of unemployed, instead of diminishing, seem to be on the increase, the relief committee being daily pressed with fresh applications, which, from want of funds, they are reluctantly compelled to reject. As to the probability of improvement in the general trade of the country, the prospect of an early and good harvest seems to be the chief, if not the only ground of hope; at least, so far as I can learn, there is no favourable change in view beyond the revival anticipated from that source. The departments of trade in which this town is more immediately interested, ship-owning, ship-building, foundries, and the trades connected with these, viz. ship-carpenters, rope-makers, sail-makers, joiners, blacksmiths, &c., are, in the meantime, in a state of great depression, and without any the slightest symptom of amendment. It is impossible to contemplate such a state of things without feeling great alarm for the consequences."

The situation of the respectable mechanics and artisans was most deplorable. Numbers were upon the list of destitute, who, by pawning their clothes, had hitherto helped to keep up the general fund. These artisans, skilful and intelligent men, were employed in breaking stones—no other employment being open to them. He had had another letter from the same gentleman, dated the 16th of June. It stated—

"Since I wrote you on the 14th instant, we have had some meetings of the committee for the relief of the unemployed, and have resolved upon re-opening the soup kitchen immediately, that we, may be enabled to afford some little relief from that source to the poor people, for whom we cannot do better. With regard to the distress here, if we could hope that it would wear off in a few weeks, I would be very unwilling to apply for aid from any

other quarter than our own resources, and for my own part would subscribe over and over again rather than make any such application; but if the pressure is to continue much longer, we may find ourselves quite unable to raise from our own resources the requisite amount of relief."

He received another letter from the same gentleman, dated the 18th of June, which he would also read to the House. [The hon. Member read the letter, which was of the same tenor as the preceding letters.] He had now to call the attention of the House to a memorial addressed by the provost, magistrates, and town-council of Greenock, to the right hon. Baronet, the Secretary of State for the Home Department. It was dated the 27th of June, 1842, and stated—

"That for some time past, but more especially during the last five months, great distress has existed among the working classes of this town, in consequence of the depression of trade and the want of demand for labour. That in the month of March last, with the view to afford relief as far as practicable, a public meeting of the inhabitants was held, at which arrangements were made for raising funds by subscription for the benefit of the unemployed. That upwards of 2,000*l.* have been accordingly so raised, and distributed among the most necessitous, chiefly in the shape of wages, of about 6s. per week, in return for labour in breaking stones, and such other public work as could be devised. That the number of labourers and artisans who have been thus supported during the last three months is from 400 to 500, making with their families and dependents an aggregate of about 1,700 of our population, which by the late census is about 35,921. That, exclusive of those who have been thus supported, there are many who are equally necessitous, and who are pressing for employment in the same way, but whose applications to that effect have been from time to time reluctantly rejected for want of funds, and to whom no relief can be afforded beyond an allowance of soup from a soup kitchen, which has been put in operation, as an auxiliary to the work system. That in addition to those who have thus been compelled to bring their destitution under public view, there are many families of the more respectable of the working classes who are silently submitting to extreme privations, and in order to obtain for the present a scanty supply of food, are obliged to resort to the melancholy expedient of pawning their furniture and clothing. That from inquiries which the memorialists have made, they find, that from thirteen establishments in this town, viz., three foundries, eight ship-building yards, and two chain works, there have been discharged since the month of June last year, 1,960, out of



3,287 workmen, who were then employed in these works—being very nearly three-fifths of the whole number, and that a considerable portion of the remaining two-fifths could be dispensed with, but are kept on for the present from feelings of humanity on the part of the masters. That if to the number of hands discharged from these more extensive works there were added the number discharged from other establishments which are also sharing in the general depression, the aggregate would be such as to excite surprise, that the claims upon the public for relief in this locality have not been to a greater extent, and such would undoubtedly have been the case, were it not that many of the discharged hands have dispersed themselves to seek for employment, at the risk of swelling the amount of distress in other localities, and that another, and a large portion, still remaining here, are, as already stated, submitting to extreme privations, rather than obtrude their distress on the public view. That the contributions which have been made by the middle and upper classes of the town have been upon a liberal scale. In December last, before the pressure became so severe here, they contributed 550*l.* to the relief of Paisley, which sum, added to the 2,000*l.* subscribed as above stated, makes in all, 2,550*l.* of voluntary contributions within the last six months. That while they have been thus called upon for voluntary subscriptions to so large an amount, they have been, at the same time, subjected to an increased assessment for poor-rates, as appears from the following statement :—

NUMBER OF POOR RECEIVING REGULAR AND OCCASIONAL RELIEF FROM THE PARISH FUNDS.

Year 1839	.	.	.	.	1,968
1840	.	.	.	.	1,691
1841	.	.	.	.	2,061
1842	.	.	.	Amount not made up till the close of the year.	

Gross amount of Assessments.				Voluntary Sub-	
Year	1839	.	.	scriptions	.
1839	.	.	£4,100	.	£2,550
1840	.	.	4,170	Assessed	5,844
1841	.	.	4,715		
1842	.	.	5,844		£8,394

That the memorialists have hitherto refrained from bringing their case under the notice of Government, in the hope that some symptoms of improvement in trade would ere now have appeared, but seeing that they have been disappointed in this hope, that the funds which they have been able to raise towards the relief of the existing distress are exhausted, while the distress continues undiminished, and likely to increase, and having no expectation of being able to obtain further contributions from merchants and others, whose means are daily diminishing under the general pressure, they feel bound in duty to submit the statement now made. The memorialists cannot contemplate the probability of the longer continuance of the existing depression of trade and destitution of the working classes, without feelings of

great uneasiness, and great alarm for the peace of the country. The memorialists, therefore, earnestly pray that her Majesty's Ministers will adopt such measures, as in their wisdom they may deem best fitted to promote a revival of the general trade and manufactures of the country, and that in the meantime the pressing claims of this town to a share of whatever public funds may be appropriated towards the immediate relief of the more distressed localities may be kept in view, and the memorialists shall ever pray, &c., &c., (Signed) Walter Baine, jun., Provost, for himself and the other members of the town-council of Greenock."

Before he sat down, he would read a list of towns, in all of which distress more or less existed, and in some of them it prevailed to a most frightful extent. The list had been principally gleaned from the statements of newspapers. In England there were—Manchester; Huddersfield, one-third of population idle, poor's-rates doubled; ditto Rastrick; Accrington, only 100 out of 9,000 employed; Stroud; Longton (Sir J. Graham's) estate; Prescott, Walsall; Ilkeston, poor's-rate quadrupled; Darlaston; Newcastle-upon-Tyne, 12,000 out of work; Barnoldswick in Craven; Birmingham, 20,000 out of work; Mansfield; Potteries; Snarebrook; Holmfirth (Yorkshire); Nottingham, rates doubled, 8,000 unemployed; Sheffield, all bankrupt; Dudley, 15,000 out in district; Todmorden, rates quadrupled; Beaminster, wages paid out of rates; Halifax; Mirfield, near Dewsbury; Burnley, 12,000 on parish books, rates trebled; Clayton, near Halifax, wages reduced 50 per cent, bread dearer; Staley-bridge, paupers 2,000, or one-tenth of 20,000; Nantwich, the fifth spring of failure in trade; Knaresborough, one-half of the people unemployed; Haslingdon, neither work nor meat; Sunday meetings on the hills, 26,000 persons at one meeting, resolved to relieve themselves before winter; Bradford, worse than at Christmas; Stockport, 25,000 population, pay 10,000*l.* a year in rates; 15,000 paupers; Wolverhampton, every market is set down as still declining, and has declined during the whole winter; Marsden, near Bromley, 2,000 totally unemployed; Colne, in an awful state, mill burned; Westbury, 354 looms unemployed, 322 employed; Carlisle, quarter of the population in distress; Belper, capitalists see no chance of improvement; Oldham, rates quadrupled; Hyde, ditto; Leicester, cavalry

sent down, but no money. In Scotland, distress existed in Glasgow, 10,000, besides dependents; Edinburgh, 3,000 starving; Dundee, people unemployed; Leitham (Forfarshire), pauperism four times greater; Greenock, Johnstone, Kilmar-nock, Beith, New Mills, Airdrie, Dum-bartonshire, Stirling, Hawick, Falkirk, Linlithgow, Aberdeen, Dumfries, New-town Stewart, Kilburvie, Largs, Dumbar-ton, Kirkintullock, Lanark, Strathaven, Cunnock, Mauchlin, Dunfermline, Forfar, Montrose, Arbroath, Alloa, and Perth. Then came the great sea-ports of the country, in all of which so much distress existed. They consisted of Liverpool, Sunderland, Bristol, Hull, Shields, New-castle, Leith, Dundee, Aberdeen, Glas-gow, and Greenock. The shipping in-terest had never been so depressed before. It was more depressed than almost any other branch of industry, and unless trade should soon experience some revival, he feared that the star of this kingdom was set. In the long list of towns which he had read, not one could be found flourishing. These towns represented every in-terest, commercial, manufacturing, and shipping. They represented the cotton manufacture, the linen, the woollen, the silk, and mixtures of all these. They re-presented the iron trade, the shipping in-terest, ship building, coal trade, and the whole of our home trades or callings, in-cluding merchants, shopkeepers, and han-dicraftsmen of every description. Through-out the country trade was destroyed or decaying, capital was decreasing, expen-diture was increasing, taxation was in-creasing, want of employment was in-creasing, discontent was increasing, misery was increasing, and public danger was certainly increasing. He would be glad if the Government could contradict the statement he had now made. He would not attempt to point out a remedy. He had made a statement of distress which he could prove before any committee of the House, and that even to a larger extent than he had yet stated. He trusted that her Majesty herself would be able to ap-preciate the condition to which her people were reduced. The country was now in that state to which many wise men had predicted that it should come, although they shrunk from naming a time. But surely the period had arrived when the scale must be turned, unless, indeed, some measure of relief not yet before the House

should be promulgated to Parliament. The hon. Gentleman concluded by mov-ing the following resolutions, the last was, of course, the one on which he put most stress :—

“ 1. That the trades and manufactures of this country are labouring under great embar-rassment and difficulties.

“ 2. That the industrious classes are also suffering many privations and severe distress.

“ 3. That this state of things has been gra-dually advancing for several years past, and is now extending in a most alarming degree.

“ 4. That the alterations made in the Corn-laws, and in the duties on imports and exports, coupled as these have been with an Income-tax, to add nearly four millions of taxation to this already heavily burdened country, cannot be expected to afford that relief which the continually declining state of trade and the distressed condition of the people so urgently require.

“ 5. That the welfare of her Majesty's faith-ful people and the future peace and security of the country, imperatively demand that ef-fectual measures shall immediately be taken to rescue the working classes from the priva-tions and sufferings they have so long borne, with a degree of patience and fortitude which specially entitle them to the affectionate sym-pathy of their Sovereign, and to the respect, commiseration, and assistance of this House.

“ 6. That therefore an humble address be presented to her Majesty, praying that her Majesty will be graciously pleased to refuse her consent to the prorogation of Parliament until a diligent and searching inquiry shall be instituted into the causes of the unprecedented distress existing at present all over the king-dom; and thereafter, until her Majesty and this House shall have been assured by her Ministers that effectual means are secured to provide sustenance for the unemployed and their destitute families, until their sufferings shall be terminated by a demand for their in-dustry, and wages for their labour.”

Question put on the first resolution.

Mr. Walker, who was inaudible, was understood to contend that the present distress could never be removed, unless the restrictions on trade were abolished.

Dr. Bowring said, that if Parliament were suffered to be prorogued without en-deavouring to alleviate the distress of the people, he must participate in that despair which was fast taking possession of the minds of suffering, laborious, and deserving multitudes amongst the working classes. How could they venture to separate in the present condition of the country? There never was a period when the interference of the Legislature was more urgently re-

quired. There never was a time when a stronger appeal could be addressed to their benevolence as Christians, and to their duties as citizens. When the right hon. Baronet at the head of the Government urged on his financial measures, on the ground that the supplies for the year could not be dispensed with, surely he must have felt that there was a far more important claim upon the attention of Parliament—a case of still greater urgency—namely, the case of the suffering, starving millions. No unreasonable claim was put forward on their behalf. They asked at his side of the House for no privileges—no monopolies of trade. All they required was, when the people asked for bread, that our ports should be opened for the produce of those countries that were ready to supply it; and when they complained of an absence of demand for their labour, that the markets should be opened which would give our artisans ample employment. Not only was the distress at present unquestioned and appalling, but it was perilous—perilous to the peace of the country—perilous to its property. At this cheerful season men, except when goaded to the last extremity, abstained from acts of violence: but he ventured to say that no man, amongst his hon. Friends around him, could answer for the tranquillity of the country, if the present state of things were continued until the winter. Human patience must become exhausted. What was the state of the town of Bolton? At this moment, one-third of the rated property was paying the poor-rates, and there were 10,000 persons who had not 1s. each a-week to live upon. Is this state of things to be disregarded? Are all these elements of distress and danger to be turned away from? Could it be possible that the people should be left by Parliament in so deplorable a condition? It had been asserted by the right hon. Secretary for the Home Department, that there were 1,200,000 paupers in the country. It would be judging of the Government with severity and harshness, if it could be believed for a moment, that it would willingly allow the continuance of so much misery. More than a million of paupers—increasing suffering—and no attempt to lighten the burden which pressed the working people to the earth. A fearful responsibility attached to the right hon. Baronet at the head of the Government. He held the reins of power with as absolute a power as ever Minister enjoyed. The principles he had often enunciated, and which he believed he desired to carry into effect,

would be supported most cheerfully by the Opposition, and the right hon. Baronet's own supporters, however anxious some of them might be to do so, dare not oppose him if he embodied his views in some large measure of relief to commerce. But whatever might be the determination of the right hon. Gentleman, a country like this ought never to be allowed to despair. Were they not industrious, intelligent, active? Was there not a glut of capital, which there was no means of applying? Did we not exert a sovereignty over the ocean? Keep out of view the state of the working classes, and our position must appear most enviable to other nations. It was a matter of astonishment to those who read our history, and watched the progress of our wealth and prosperity, that with all our boasted pre-eminence, a great part of the masses were sunk in hopeless misery, which the Government never made an effort to relieve. He believed the measures of the present Government would give no adequate relief. The Income-tax was a direct burden. The tariff was only advantageous as it rested on sound principles, which must be carried much further to show any perceptible advantage in the change. The changes in the Corn-law were worthless, and would not bring relief. But that law, whose professed object was to keep up the price of food, was doomed. It was perfectly clear that the Poor-law and the Corn-law could not long co-exist. The great means at the right hon. Baronet's disposal were to enable the people to obtain food on cheaper and better terms, and to go to the markets of the world with the products of their industry and skill. He wished the attention of Parliament were more steadily fixed on this momentous subject. He found the House willing enough to engage in costly and unjust wars abroad, but most unwilling to provide remedies for domestic evils. We could vote millions for interferences and invasions from which we should better have abstained, we could apply the wealth of the country in reckless profusion to purposes wholly indefensible, but we left the representatives of labour and the producers of wealth to darker and darker misery.

Mr. Aglionby said, he should support the motion of the hon. Member for Greenock, though with some hesitation, as he saw no immediate relief that could be afforded. The present was no party question; he could not say that the Government were responsible for the present distress, and if the late Administration

had been still in power, he should have adopted the same course that he now intended to take. He hoped that neither the House or the country were so unjust as to charge upon Government the distress which was so much to be deplored, or not to think that the right hon. Baronet and his Colleagues felt as much anxiety to relieve it, and as much sympathy for those who were suffering, as any other persons in the country. The expressions that had been more than once used by the right hon. Baronet on this subject did equal honour to his heart and head, and he believed the right hon. Gentleman deeply deplored the distress, and was disposed to act to the best of his judgment for its relief. He regretted that the right hon. Gentleman and himself differed upon that which would be the most effectual means of producing the relief desired—the means being a fair adjustment of the Corn-law. But, notwithstanding this, he was ready to support any proposition from either side of the House which tended to promise a hope of relief, and did not wish that they should, by a too early prorogation, show their belief that the evil was remedyless. Hon. Members who witnessed distress in their own districts, and the patience with which it was borne, should testify thereto from their places in the House, as a great deal had been said about the exaggerated statements in petitions. He wished now to testify to the truth of the statements made in a petition presented from Carlisle in February last, and he would take the opportunity of adding that the distress which existed in Cocker-mouth also was not perhaps exceeded by that suffered by any of the manufacturing population of the country. Funds had been raised by local subscription, but the charitable relief fell short of what was needed, and did not give that which the people looked for to the acts of the Legislature—the means of obtaining a livelihood by their industry. The hon. Member read a statement from a document in his hand, to the effect that the number of families in the town, without any visible means of existence whatever, was 389; of families, the weekly earnings of which did not exceed one shilling a head, 419; of which the earnings exceeded a shilling and did not reach one shilling and sixpence, 362; below two shillings, 212; and below three shillings, 279; making 1,661 families, including 6,000 individuals, whose average

earnings were not more than one shilling and twopence. These 6,000 persons included more than one-fourth of the whole population of the town. The petition to which he had alluded entreated the House to take some steps during the present Session of Parliament to prevent the continuance and recurrence of such general and dreadful destitution. Such representations as these were entitled to the deep attention of the House. There was one subject to which he must advert: that the agricultural prospects of the year were not such as to justify them in the expectation of a harvest so good as to make a delay of another year of little consequence. From what he had heard amongst practical men, he was sorry to say that great fears were entertained that the ensuing harvest would not yield average crops. This was a matter that ought not to be lost sight of, and he did hope that they would not separate without having done something to allay the feverish expectation which existed throughout the country.

Sir J. Graham spoke as follows: I am glad I gave way to the hon. Member who has just sitten down, because, although I have no reason to complain of the language of the hon. Members who preceded him, the hon. Gentleman has, in a more pointed manner, done what I am conscious is no more than justice to the present Administration. In the first place the hon. Member frankly admitted that, for the existing distress, the present Government is not immediately responsible; and in the next place he avowed, what I am sure is strictly true, that no one felt more deeply for that distress than her Majesty's Ministers. I can assure the hon. Member, on the part of myself and my Colleagues, that our compassion for the distress which prevails in many parts of the country is only exceeded by our admiration of the manly fortitude with which it is borne. I strongly deprecate the use, in this House, of any language which has a tendency to create public despondency. I am quite satisfied that the inevitable effect of such language is to shake public credit, and, by that means, to aggravate the existing distress, to diminish in every respect the greatness of this country, and to shake the foundations of its prosperity. Doubtless there are great distress and sufferings in many quarters; but, on the other hand, it is distinctly admitted that the country possesses within itself great wealth and power. When I reflect upon the manly fortitude,

the public virtue, and the great patience of the people of this country, with a people thus constituted, and governed by a representative body, with the representative system entering largely into all their institutions, I think there is scarcely any amount of adversity which would justify us in giving way to despondency. I cannot avoid particularly referring to one expression which must, I think, have fallen inadvertently from the hon. Member who spoke last. The hon. Member spoke of the prospects of the coming harvest in terms approaching to despair, which, I hope and believe, the event will not realise. One of the most providential circumstances which could happen at the present moment, and one which would tend more directly than anything else to the relief of the country (inasmuch as I reckon amongst the main causes of its present distress the occurrence of three bad harvests successively) would be the gathering in of an abundant harvest. I am happy to say that the information which has reached me induces me to believe that the hon. Member for Cockermouth is quite wrong in his forebodings respecting the present crop. The hon. and learned Member for Bolton introduced topics into the discussion which were very properly avoided by the hon. Mover. The hon. and learned Member spoke of the large expenditure which had taken place upon unjust and unnecessary wars. I will studiously avoid entering into topics of that nature upon the present occasion, but I may be allowed to observe, in passing, that it is one thing to enter into a war, and another to recede from it hastily and without regard for the honour of the country; and I am satisfied that the Government would desert its duty, and not act up to the spirit of the gallant people whom it is called upon to govern, if we hesitated to call upon those classes who are best able to bear burdens, to endure the imposition of them for a short period, in order to enable the country to sustain, in remote parts of the globe, the honour and glory of the British name. Anything that we have proposed in the shape of taxation, in the present distressed state of the country, has been done with reference to those considerations. Having made these observations, I will now proceed to deal more particularly with some of the matters brought under the notice of the House by the hon. Member for Greenock. If, on the one hand, it be dangerous to aggravate distress, and create feelings of despondency in the country, so, on the other, it is no less dangerous

to hold out expectations of relief from the public revenues which never can be realised. If a warning were required of the evils which must result from granting relief out of the public funds, a striking one would be furnished by what occurred in the case of Paisley, to which the hon. Member for Greenock referred. That was a case of remarkable distress pervading a community of considerable extent. I am not sure that it would be profitable, at this moment, to trace minutely the causes of the distress at Paisley. As one of the principal causes, however, I would assign a change in taste with respect to the peculiar manufacture of the town. It was a manufacture confined almost entirely to the production of one commodity—a mixture of cotton and silk. Then again the export trade of Paisley being chiefly directed to the United States, the monetary disturbance in that country caused a cessation of demand for Paisley goods. In the third place the Scotch banks drew in almost simultaneously the advances which they had made to enable the Paisley manufacturers to carry on their speculations; thus causing failures and bankruptcies amongst those who had been the employers of the manufacturing population. The distress at Paisley, arising from the causes at which I have glanced, was, at the commencement of last winter, very severe. The hon. Member has spoken of Christian people not having been treated with respect. I am surprised the hon. Member should have made use of such an expression with reference to this case. Respect is a cold term to designate the warm Christian charity with which the distressed manufacturers of Paisley were treated. To the honour of the people of Scotland, they raised the large sum of 25,000*l.* by subscriptions amongst themselves for the relief of the Paisley community. This sum, however great, became exhausted; and the local funds also failed. The hon. Member for Greenock referred to a system of relief which was adopted by the inhabitants of Paisley, namely, that of issuing tickets to the poor. When the case of Paisley was brought under the attention of the Government, this system was closely investigated; and we had every reason to believe that not only was it open to abuse, but that it must necessarily lead to it. The tickets were issued nominally for articles of the first necessity, but irresistible proof was furnished that not only did shopkeepers obtain undue profits by charging extravagant retail prices

when they took the tickets for articles of the first necessity, but they also furnished in exchange for them spirits, tobacco, and other stimulants of various descriptions. The subscriptions and local funds having, as I before observed, become exhausted in Scotland, it became necessary to seek elsewhere for further charitable assistance. Her Majesty's Government, in consequence, endeavoured to promote a public subscription in this metropolis, and as we thought it advisable that a change should be made in the mode of administering relief, a government officer was employed to see the alteration carried into effect. I will show what misconception was put upon the acts of the Government in this matter. It has been said that that officer, Mr. Twisleton, abused the powers vested in him, and, in the words of the petition which has been referred to, that Government meant to take the superintendence of the operatives and other sufferers into their own hands. This is a remarkable proof of the liability to misconception to which a government is exposed when it interferes in any way in such cases. I hold in my hand the report of Mr. Twisleton with respect to these transactions, and I will read a passage from it which will put the House in possession of the whole of the facts:—

"From my first arrival in Paisley up to the 9th inst., I invariably stated, in reference to those of her Majesty's Ministers who had subscribed to the relief fund, that I acted in their behalf as individuals, and not as Ministers, and that I could not hold out to the committee any expectations that any assistance would be given to them by Government. I stated this in every possible form of language. Notwithstanding all my assurances that I acted in behalf of those Members of Government solely as individuals, and not as Ministers, sanguine expectations would be formed (in spite of all that I could say) that it was the intention of the Government to aid the relief fund at Paisley, in case all other resources failed. But any expectations of this kind were formed not in consequence of language used by me, but in spite of it; and, although they might naturally have arisen from what I did, in pursuance of my instructions, they were certainly in direct contradiction to everything that I said."

I conceive that, as private subscribers to the relief fund, the Members of the Government had a right to attach what conditions they pleased to their subscriptions; but the mere circumstance of a public officer being employed to see that the conditions were fulfilled, excited a false expectation

that the parties engaged in distributing the charitable fund had public money at their disposal; and that, in fact, the Government of the country had undertaken the maintenance of the poor of Paisley. Nay, more, a memorial from Greenock, to which the hon. Member referred, was presented to me two or three days ago, in which a direct demand was made to admission to—

"A share of the public funds appropriated to the relief of distress."

I answered this memorial by expressing what I feel, the deepest compassion for the distress of the applicants, but stating, at the same time, as in the discharge of my public duty I was bound to do, peremptorily, that all cases of distress must be relieved by local subscriptions—that the executive Government had no funds to apply to such a purpose, and that to hold out the expectation of such a thing being done, would only aggravate the existing evils. I am bound to admit in the broadest manner, and in the most distinct terms, that in several of the places to which reference has been made during this discussion, distress to a great extent exists amongst the manufacturing community. I never denied the fact, and I feel the deepest compassion for the sufferers. I have listened with the utmost attention to the Gentlemen who preceded me. The hon. Member who seconded the motion, a gentleman well versed in all that relates to the manufacturing districts, and a dispassionate judge in the matter, a gentleman, too, who, from the high character which he bears in his own neighbourhood, as well as his general demeanour in this House, is worthy of consideration—declared his deliberate opinion, that nothing which it was in the power of the House to do could immediately and suddenly put an end to the existing distress. On the contrary, the hon. Member said he was quite sure that the distress could not be removed sooner than in six or seven years from the present time. Is that opinion irrational in any degree? Have not the causes of the distress been in operation for some years? Perhaps I may be allowed briefly to run through the list of those causes. I have already glanced at the great misfortune which befel our best customer, the United States, in the disturbance of its monetary affairs. I cannot, also, conceal from myself that the war with China has a great deal to do with the prevailing distress; nor can I dissemble my conviction that the disturbed state of Central Asia has

also had a pernicious influence upon our commercial interests. These circumstances have been in operation for some years, and have caused the distress to reach to its present extent. I was curious to hear what remedy the hon. Members who have spoken would suggest. I look to the motion with which the hon. Member for Greenock concluded, and I see that it suggests merely that—

“An humble address be presented to her Majesty, praying that her Majesty will be graciously pleased to refuse her consent to the prorogation of Parliament, until a diligent and searching inquiry shall be instituted into the causes of the unprecedented distress existing at present all over the kingdom; and thereafter, until her Majesty and this House shall have been assured by her Ministers that effectual means are secured to provide sustenance for the unemployed and their destitute families, until their sufferings shall be terminated by a demand for their industry, and wages for their labour.”

The hon. Mover has no remedy: he proposes an enquiry. The hon. Member who seconded the Address has declared that it is not possible to remove the distress at any very early period. The hon. Member for Bolton, though he praises the alterations made in the tariff, thinks that they can have no immediate effect. Upon that point I differ from the hon. Member, for I am of opinion that that great measure will produce a speedy and most beneficial effect upon our foreign trade and commerce. But after all, what is the single mode by which hon. Members opposite propose to better the condition of the working classes? It is by making further alterations in the Corn-laws. Having listened attentively to all that has fallen from the hon. Members, I must say that their whole scheme of relief is concentrated in that proposition. I declare unfeignedly, that my heartfelt compassion for the working classes is so deep and sincere, that if I could bring my reason to assent to the belief that a further change in the Corn-laws would conduce to the general good, and would operate to produce the advantages which hon. Members on the other side of the House believe would flow from it, no personal considerations should, for one moment, deter me from pressing for that change. But I solemnly declare my belief, that any sudden change in the Corn-laws which would effect a great displacement of agricultural industry, which would operate adversely on agricultural labourers, by diminishing the demand for their em-

ployment, and would in time reduce them to a condition any thing approaching the state of suffering of the manufacturing labourers, would, so far from being conducive to the general good, involve all the labouring classes in this country in one common ruin, and aggravate a hundred-fold all the evils of our present position. I have reflected carefully, deliberately, and constantly upon this subject, and I have been able to come to no other conclusion than that which I have stated; and this being my opinion, I should betray my duty—I should act falsely, if I were for one moment to hold out the expectation that the prolongation of the Session for the purpose of making a change in the Corn-laws other than that which her Majesty's Government have already effected, would have any other effect than that of creating disappointment, and adding to evils whose existence we all unite in deploring. It now only remains for me to express my decided opposition to the motion, being satisfied that its rejection will most conduce to the re-establishment of public confidence; and I trust that, under the blessing of Divine Providence, the course we have pursued, and are about to pursue, will lead to the speedy alleviation of the sufferings of the working classes, whose condition we so deeply deplore.

Mr. Ward disliked this general motion to sit without specifying what they were to sit for; but he should vote for the motion, in order to get, if possible, a farther alteration of the Corn-laws. The salvation of Sheffield depended upon it. He regretted, however, that this question should have been mooted now, instead of in the coming week, as he believed that there then would be data in town, from all the principal sects of our manufactures, that would force the Government to take this question into more serious consideration than they were now disposed to do. He had heard little that evening, that had not been repeated before, until it had become notorious. As to subscriptions, pity, and compassion, that was not what the people asked for. What they asked the House for, was, to let them live by their own honest industry, and not to place itself between their labour and that which ought to be its legitimate return. And he believed that the delegates about to assemble were prepared to lay before the House facts, which would make hon. Members tremble if they undertook the responsibility of meeting the coming winter,

or autumn, without doing what Parliament could do—without at once proceeding on the basis of the new tariff, because the principles upon which that was founded were the principles upon which alone relief could be afforded. All the people asked for, was the honest application of those principles which the right hon. Baronet had adopted as the basis of the tariff, and which the right hon. Gentleman, the Vice-President of the Board of Trade, had on many occasions in that House most soundly, and ably, expounded. In Sheffield a state of things was growing up, which it was impossible for any description to exaggerate. He believed, in fact, it would be impossible to do justice to it. The men there, of whom he spoke, had known better times; they had not been ground down by distress, like a large portion of the manufacturing population,—they were in the possession of all their powers, mental and bodily, and he did not believe it possible, if they were without employment or a remedy for their distress, for the coming winter to pass over quietly. He stated that distinctly. He believed that in Leeds nearly one-fourth of the population were more or less in the receipt of public relief. He knew that in Sheffield one-third were out of work; and the poor-rates were increasing in a way, which the depressed state of the town could not in any manner supply. They would then have the population scattered over the country by thousands seeking employment, coming into collision with other unemployed operatives, and going into the agricultural districts, hoping to get there that scanty pittance which they could not obtain at home, and to save themselves from the ignominy of parish relief, which they could not consent to receive. Every one of those men thought, and said, and knew that their distress was occasioned by a free exchange not being allowed between their produce and that of other countries. The tariff alone would do no good. Either there must be a change in the Corn-laws, or the tariff would be comparatively worthless. In fact, certain branches of trade which had never been interfered with before would be affected by it, and that was unjust, so long as they did not allow to those who were thus affected a free-trade in the first necessities of life. He did not approve of the form of the resolution now before the House,

but he put it to the right hon. Baronet, whether he would not be glad to have the shield of Parliament between him and a people so situated? The right hon. Gentleman (Sir J. Graham) said he could not see what Parliament could do. Now he did see what Parliament could do, for he firmly believed that if Parliament would reconsider the subject of the Corn-laws—if Parliament would do its duty, and the Ministry would divest itself of the idea that it was indecorous in the Government, after taking one course at one part of the Session, to eat their own words, and propose a different course at another period of the Session—and in spite of the clearest proofs of its necessity, he said, that if they did that, he firmly believed they would establish commercial prosperity. He was perfectly convinced that nothing else would do, and if they did that, all their quibbling disputes as to whether Mr. Twisleton had, or had not, a right to do what he had done would be at an end. All those things too were like a drop of water in the ocean, a mere blind in comparison with the distress which they had to deal with. They were blinking the real question, and for the sake of their consistency the country would be ruined; for he could not believe that the right hon. Baronet could have heard the facts that were pressing upon him from all sides, without having arrived at the positive conviction that if he allowed the House to depart without reconsidering the Corn-laws, he would be forced to open the ports during the coming winter, and to admit the whole supply of foreign corn now in bond free of duty, and that his first motion next Session must be for an alteration in the Corn-laws. The Government might feel it very awkward to propose such a change; but he believed that it must be made, or that some substitute for that impulse to trade, which a free-trade in corn, or a very low fixed duty, would give, must be found, in order to employ the capital of the manufacturer, and the crippled industry of the country. If they suffered Parliament to separate without providing this alleviation for the present distress, they would, in his opinion, be neglecting their duty, and he was perfectly convinced no such alleviation could be afforded by the Executive without the aid of Parliament, he should vote for the motion of his hon. Friend, though not altogether approving of its wording.



Mr. D'Israeli said, that the hon. Gentleman who had just addressed them (Mr. Ward) had laid it down as an axiom, that the repeal of the Corn-laws was the only method by which an impulse could be given to the languid trade of the country. The hon. Gentleman laid that down as a position incapable of dispute. He added even that there was no other mode which could be suggested. He did not wish to misrepresent the hon. Gentleman; he believed he had correctly stated his position. (Mr. Ward assented). Now he would put a case for the consideration of the hon. Gentleman. Suppose it were in the power of the Government suddenly to secure at this moment to the distressed operatives of the town which the hon. Member represented, the supply of some large European market, would the hon. Member maintain that such a boon would not be productive of the desired effects, and reanimate the industry of that town? The hon. Gentleman could hardly do that? He could hardly deny that such a circumstance must necessarily relieve that overwhelming depression which he had asserted a repeal of the Corn-laws could alone remove. Suppose for example the French market was suddenly opened to the trade of Sheffield, the most populous and civilized market in Europe, who could deny that such an event would necessarily and materially revive the industry of the town? All agreed to that proposition. Well, in the treaty of commerce with France, the negotiations respecting which had been entirely completed, a treaty which was really engrossed for signature, and which the late Secretary of State for Foreign Affairs had been pressed by the French government to execute, there was a provision for admitting the cutlery of Sheffield at a very moderate duty into France. Again, the hon. Member complains of the great distress prevailing in Leeds, and appeals to the hon. Member for that town to corroborate his statement. Now, in the same treaty which had been all but formally signed and ratified, it was stipulated that the woollens of this country should also enter France at a low rate of duty. Let the Members for Leeds and Bradford remember that circumstance when they hear their constituents attributing all their distress to the Corn-laws. So with respect to the hardware of Birmingham now prohibited from entering France, the French

market was secured also for that article. What say the Members for Birmingham, who constantly favour us with such piteous accounts of the state of trade in their town? Let the hon. Member for Wolverhampton, who brings forward annual motions for the repeal of the Corn-laws as the only specific to revive the trade of his constituents, recollect that however great and varied may be the ingenuity of the French people, there is assuredly one thing they cannot do, they cannot make a lock. Now Wolverhampton, if this treaty had been signed by the noble Lord opposite, might have supplied all France with locks. Well, then, there were the potteries, they were in a state of distress: the Corn-laws prevented them from having a market. The French treaty secured them in spite of the Corn-laws, one of immense and increasing demand. A good deal had been said about the recent ordonnance which had considerably raised the duties on British linens and linen yarns. Some said it was only an electioneering manoeuvre, others thought, on the contrary, it was a heavy blow and great discouragement to British industry. When he remembered that one-third of our present commerce with France consisted of exports of linen cloths and yarns he was of the latter opinion. Now in that very treaty of commerce with France to which he had referred, there was contained a clause, that in no case should the duties on the import of British linen yarns into France exceed 10 per cent., and cloths were admitted at a very moderate duty, which are now virtually prohibited. And why, it would naturally be asked, why was that treaty of commerce not signed and ratified? Because under the auspices of the same Minister another treaty, of a different character, a political treaty had been entered into for objects and under circumstances which had changed the disposition of France towards this country for increased commercial intercourse, and so had England lost the vast advantages derivable from that increased commercial intercourse. But was this all? On the contrary, while the treaty of July for the settlement of the Levant, the political treaty to which he had alluded, had deprived England of the commercial treaty with France, that same treaty of July had disturbed the markets of England in the eastern division of the Mediterranean sea,

and ruinously affected our Levantine markets. So the House would perceive there were other causes which could affect our trade besides the existence of Corn-laws, and perhaps the House, after their intimations, might be induced at length to consider the effect for good and for evil of diplomacy upon commerce. Unquestionably commercial distress in a country like this could be produced by no single cause. It must be occasioned by complicated circumstances, and it was as fallacious to charge the present Corn-laws with all the present evil, as to give them credit for all the prosperity of other days. One thing was, however, manifest, that our foreign trade was inseparably connected with our foreign policy. Yet this was a subject never investigated in that House, as if it were one which bore no relation to their commercial questions which continually engaged our attention. Yet in the present instance, had the character of the political treaty been foreseen by the Parliament, the benefits of the commercial treaty might, perhaps, yet have been secured for the people. What happened in the present case? It was a curious illustration of the mode in which any attempt at Parliamentary control over Ministerial conduct was successfully suppressed in that House. An hon. Member opposite hearing by public rumour only of that treaty of July which had cost us the treaty of commerce with France, came down to the House, and required the noble Lord, then the Secretary of State for Foreign Affairs to lay a copy of that treaty on the Table. The noble Lord replied that the request was altogether irregular, and could not for a moment be listened to, because the treaty had not yet been even ratified. Would the House believe, that at that very time a reserved protocol had been signed, providing that the treaty in question should be acted on before it was ratified? The House waits until the treaty is ratified to discuss its policy, and that policy is carried into effect without its ratification taking place. So in other instances, but in the same spirit documents are refused under the pretence of pending negotiations, yet a year afterwards when those documents are produced, they themselves show, that at the period when they were required, absolutely no negotiations were "pending." This notably happened in the case

of the Boundary Question with the United States. Such a farce—such an utter delusion was the theory of Parliamentary control over Ministerial conduct! The most momentous treaties were never heard of until too late—if they were favoured with papers it was always after the events. But when the policy of the noble Lord had thus lost us the invaluable market of France, lost it too by a line of conduct which had at the same time ruinously affected our Levantine market, then came the noble Lord and his free-trade friends, with their cries of commercial distress and their denunciation of the Corn-laws as its exclusive cause. But was this all? Were the injurious effects of the noble Lord's policy on our Eastern commerce confined to the shores of the Mediterranean? It was not merely our Turkish, Syrian, and Egyptian markets that were disturbed; others were involved in confusion—others of far more extensive character and important interest. In impressing upon the House the importance of our Eastern commerce, he had not in his mind the limited and somewhat exhausted markets of the Levant. It was to India he looked under a wiser system of intercourse than we had as yet pursued, but especially to those portions of the Eastern hemisphere which offer a new field for the maritime energy of England, China and its contiguous kingdoms and the islands of the Eastern Archipelago. In extending our commercial relations with these regions, we appealed to the necessities and the tastes of illimitable populations: 100,000,000 of British subjects in India consume annually 6*d.* per head of British manufactures. Our late slave population consume 5*l.* per head; our new colonial population 12*l.* per head. If the hundred millions of our fellow-subjects in India were to consume per head one-tenth of the quantity required by one of our late slaves, India alone would take 50,000,000*l.* of goods annually from Manchester and Sheffield and Birmingham. Extend this market to the empire of China, Japan, Siam, Corea, and the other kingdoms, even at a much reduced ratio, and the results baffle the most extensive faculty of account. The Chinese are eminently a commercial people. This is proved, if proofs were wanting, by the fact, that there is no nation that supplies a demand with much celerity—no nation that adapts its productions to

the commercial wants of its customers with greater tact and quickness. At the commencement of the present century the total quantity of tea exported from China did not probably exceed 30,000,000 of lbs. At the termination of the first year of the open trade, England alone took forty-three millions, and the United States seventeen millions. In silk the same facts are observable. In 1824, the East India Company exported barely 94,000 lbs.; in 1834, the export had risen to 1,322,666 lbs. Moreover, there never was a country with which we carried on a trade with less risk and less loss than with China. None of our markets ever exhibited a more sustained character, its only alteration being its genuine and gradual expansion. From the commencement of this century only to the present time, the revenue paid into our Exchequer, from the duties on tea alone, amounts to 150,000,000*l.* sterling, an amount equal to one-fifth of the national debt; yet these are the countries which the noble Lord selects as the scene of his military achievements. The demand for British goods from Persia, Tartary, and the countries beyond the Indus, had entirely ceased. So great was the depreciation of British goods in the Indian markets, that Manchester manufactures might be purchased at Bombay at a lower rate than in Lancashire itself. Such were the fruits of their foreign policy who now denounced our agricultural system as the sole cause of distress, and depression of our trade. But the calm sense of the nation would not be misled by so obvious a delusion, and it could no longer be denied that to the mismanagement of our foreign affairs must be attributed infinitely more of evil than to our Corn-laws.

Mr. *Hume* agreed with the hon. Member in many of his remarks on the highly impolitic conduct of the late Foreign Secretary, and his mismanagement of our foreign relations. In his opinion, however, all the distress which the people of this country at present endured, was to be imputed to an obstinate refusal to repeal the Corn-laws. Those who so earnestly and so justly complained of these laws, prayed to be heard at the Bar of the House, in order that they might have a fair and full opportunity of showing how they were affected by the operation of the Corn-laws, and how they interfered with the trade

which we might otherwise carry on with the United States. He was enabled, from the communication of an extensive manufacturer of hosiery, to illustrate very clearly the manner in which that piece of evil-legislation produced its effects. The English manufacturer of hosiery, when he sent out his goods to the United States, had there a formidable opposition to encounter—two prices could not be obtained for the same sort of article in one place, and accordingly all that the British manufacturer could get for a given quantity of hosiery was 216 barrels of flour. Of that quantity, when given to an American manufacturer, it required 70 barrels to pay for his materials, and 84 to yield him a fair profit, giving to the American workmen 132 barrels. The materials of the British manufacturer cost 41 barrels of the flour, his profit was but 6*½*: 107 barrels were required to pay freight, insurance, and other charges, 42 as duty, &c., and therefore 34 barrels was all that an English workman could receive for his labour. That was four to one against England. He would repeat that the distress of the country was owing to the Corn-laws—it was a distress which had been coming on for many years; from the time that the duty on corn had been imposed there was a gradual depression of wages, and moreover the existence of our Corn-laws led to commercial restrictions abroad, which still further injured our manufactures. Let the House only look at the way in which this matter was felt in other countries. At the present moment there were three bills before the Congress of the United States, the objects of which were to retaliate on us for our restrictive system. In Germany the same principle was in active operation. The League were about to prohibit almost all British goods, in consequence of our inflexible resolution to maintain the Corn-laws. On that point a question to this effect was frequently raised:—If England should agree to relax her Corn-laws, what security had we that other countries would follow that liberal example? He should answer that by reminding the House of what took place in the year 1825, when a negotiation was on foot between the Prussian Minister in this country and the Foreign Secretary of that day (Mr. Canning). The Prussian government offered a free-trade in every thing, except playing-cards and salt. It was on that occasion

justly observed, that according to the system then in force, and which had unhappily not since been altered, two duties were paid instead of one, and that the trouble and injustice of that would be put an end to by admitting Prussian corn, not free, but under such a duty as would admit of a fair remunerating price to the continental grower. When this matter was referred by the Foreign Office to the Treasury, they at once declared that they could never entertain such a proposition. He was led into making these remarks by what had fallen from the hon. Gentleman opposite, and he should now apply himself to the subject of the distress prevailing in all parts of the country. At length it was admitted that distress did prevail; but it had been said that the present fashions had proved injurious to Paisley. Now, if Paisley were the only place labouring under distress, he should say that possibly there might be some foundation for the statement, but the cotton trade, the woolen trade, and the iron trade were all in a state of the utmost distress; the people of Birmingham, of Stockport, and of Sheffield were all suffering, and the causes were neither local nor temporary, and every class was affected by them without exception. What was the state of the district which he represented? The linen trade there with America and France, the best customers formerly, had considerably decreased. A letter from a merchant at Dundee, which he held in his hand, stated that in the year 1840, the whole amount of the poor-rates was 5,652*l.*, and last year it was 7,087*l.*, being an increase of nearly 1,500*l.* in one year; and, besides this, 1,200*l.* had been subscribed by voluntary contributions since January last for the relief of the distressed population there. But even that did not afford a full picture of their misery, because, by the Scotch law, no able-bodied person had a claim to relief. Four mills had altogether stopped work, throwing out of employment, one 85 men, another 100, the third 150, and the fourth 360, making a total of 695 persons thrown out of employment. The rate of spinning and weaving wages had greatly diminished, having fallen 10 per cent. since January last, and the remuneration for other labour was proportionally low. Many instances of lamentable destitution existed; and large numbers of workmen were entirely unemployed in that district. Looking at that district alone,

he was compelled to conclude that there was no prospect of relief from the present Government. The Income-tax would only add to the evil. The tariff might do some good, but not immediately; and, in the interval, the people were starving, and the peace of the country endangered. He wished to know, then, whether Parliament would do its duty. Having the means of employing the people at hand, would they not apply them—would they not endeavour to avoid the melancholy results of leaving the country in its present state? If they separated without providing a remedy, would they not be responsible for the consequences? Let the ports be thrown open, and an impulse would be given to our trade which would at once relieve the people. If the Corn-laws were repealed and the ports thrown open, from that moment foreigners would begin to prepare for our market, and orders would be given for our goods; and our manufacturers, knowing that such would be the case, would instantly set their workmen to labour, in order to be prepared, by the time the demand came, to meet it. That was the way in which immediate relief could be afforded to the distressed manufacturers. If the Government and the House refused to apply the remedy, he saw no chance of peace being preserved in the country. Though the people had exercised a most exemplary patience under their sufferings, and had exhibited all the virtues which the right hon. Baronet had attributed to them, they had received but little attention from that House. Never was so much privation so patiently endured; never had an afflicted population conducted themselves so well. But what was the consequence? All their petitions had been rejected. If they had been the very worst crew that ever disturbed society, they could not have been treated worse; their requests were laughed at, and their prayer for an inquiry into their condition spurned. Why, what had been done for them? Had the Corn-laws been repealed? Would any hon. Gentleman rise up in his place and say, that the new tariff would relieve them? Was food cheaper? Had not the new Corn-law aggravated the evils which it was pretended it would cure? What the people complained of was, that food was high and wages were low; that food was rising in price and wages falling, while thousands and tens of thousands had no wages at all.

The Government and their supporters were driving them to depend on poor-rates and charity; they were doing all they could to demoralize the people of England. True, the conduct of the people was deserving of all praise; but that was not enough. The Legislature was not acting like Christians having a sympathy for their fellow-men; for they passed them by in their suffering; and when bread was asked they gave a stone. Let them not separate then without doing something to relieve the people. He hoped the right hon. Baronet would see the necessity of reconsidering the Corn-laws. As to the responsibility of finding relief for the distressed population, he would tell the right hon. Baronet that the responsibility rested upon him. Nay, more, every man who died of famine under the present Corn-laws should demonstrate to the right hon. Baronet the necessity of repealing them. He thanked his hon. Friend for having brought forward these resolutions. Let the right hon. Baronet agree to an inquiry, or let him adopt the remedy of a repeal of the Corn-laws. At all events, let him not consign a large part of the population of England to misery, destitution, and death.

Mr. Attwood considered that the hon. Member for Montrose had exhibited a want of candour in attributing the adoption of a new tariff by America to the present Corn-laws, because that tariff was as applicable to France and other nations not having Corn-laws as to England. The fact was, that America was led by those doctrines to which, he was sorry to say, our Government had given way too much, and by those theories which never had any other foundation than the airy dreams of political economists, it had made the experiment of acting upon them, and the result was, that she was now placed in embarrassments and difficulties second only to those which England was suffering. America had been carrying out the principles of universal competition and free-trade, and had been buying at the cheapest markets; and, if the sentiments so often reiterated by the supporters of free-trade in that House were true, she ought to be now a most prosperous nation. But the reverse was the case; and therefore America had determined to revert to the ancient policy which had been the policy of every prosperous nation. The hon. Gentleman said France would not come to *our ports* because of our Corn-laws. Why,

when free-trade principles were first introduced, we were told that other nations would follow our example when they witnessed the successes that would accompany the experiment we made. That was the opinion of Mr. Huskisson, of whose speech on the subject he had a perfect recollection, and he followed it by saying, that Mr. Robinson, the Chancellor of the Exchequer, would find that foreign nations would give us a reciprocity, and, therefore, he must come down to the House year after year with an increasingly liberalized commercial code. What had been the result? The present Chancellor of the Exchequer could boast of nothing but an impoverished treasury, which was to be replenished by an Income-tax upon a greatly impoverished people. There was the reason why France would not adopt the same policy, and other foreign powers not follow our example. Already British produce could be purchased at a cheaper rate, not only in China or Bombay, but in other parts of the world than it was manufactured at in this country. If we wished to make France to admit our manufactures from Sheffield and Bradford, we must consent to a tariff by which the gloves, silks, and brandy of France would be imported into this country; and thus, though we might benefit one portion of the community, we should injure others. The right hon. Baronet had said, that he did not despair of the safety of the country, nor did the learned Doctor, the Member for Bolton. He joined with them both in that opinion to some extent; but he confessed that the state of the suffering millions caused more serious apprehensions in his mind than the state of public credit and the trade of the country. He felt inclined to despond and despair when he thought of the famishing multitudes. He wanted to know what was to become of the tens of thousands of paupers, and the thousands who had but a shilling a-week to subsist upon. Did her Majesty's Government hold out any prospect of relief for them? He must seriously urge upon the House and the country that those people ought not to be left in their present state. Their condition ought to be fully investigated, and a remedy adopted for their relief. It was due to the country—it was due to a suffering people, that a measure should be proposed for the amelioration of the distress at present prevailing. It had been urged by the right hon.

Baronet, that her Majesty's Government had taken possession of office during the prevalence of the distress which had been complained of; but it was not enough for the Government and those who supported it to say, that the distress was not the result of any course of policy which they had adopted, and that they were not responsible for it. He cared little whose act it was. He did not envy the position of the Government if it took possession of power when the country was suffering under great distress, without being prepared to state their views to Parliament in a straightforward manner, and to ask Parliament to assist them in carrying into operation remedial measures of relief. If no remedy was to be proposed for the adoption of the House—if Parliament was to separate without having suggested for its consideration some means of relief, then he apprehended the worst consequences to the peace and welfare of the country. He certainly thought that the right hon. Baronet at the head of the Government would have brought forward a proposition with that view. Allusion had been made to the distress at present prevalent being the natural effect of the present Corn-laws. He denied, that such was the fact. The Corn-laws had been in force at periods when no distress was complained of, and during times of great commercial and general prosperity. He did not think, that a repeal of the Corn-laws would have the effect of reviving the trade of the country, or of improving the condition of the people. He had witnessed a revival of prosperity under Corn-laws quite as stringent in their operation as those now in existence. He could not consider the present state of the manufacturing districts without feelings of great fear and apprehension. The House had no right to leave the people in their present condition. He looked forward to another winter with fear and alarm.

Lord J. Russell: Sir, I am not one of those who take the most favourable view of the measures of her Majesty's present Ministers; and although I have no great reliance upon the wisdom of their councils—no great confidence in the efficacy of their plans, for the relief of the distress which now exists; yet I shall hardly take so hostile a course as that which has been taken by the hon. Gentleman who last addressed the House. I must say, I think he was hardly justified, from anything he

has said, in taking so hostile a tone towards the Government which he generally supports; because, after giving a very alarming account of the existing distress—after saying everything that was calculated to inspire alarm and despondency—after raising an apprehension for the tranquillity of the country, the hon. Gentleman has himself suggested no remedy—has not proposed any great scheme of relief, has done nothing more than say there ought to be an inquiry into the cause of the existing distress. The hon. Gentleman seemed to think, that there would be an advantage in the inquiry. I admit, that there would be an advantage if hon. Members were to go into that inquiry with somewhat similar views and similar principles; but to go into an inquiry with an hon. Gentleman who has only spoken against the theory in which my hon. Friends on this side of the House are entirely agreed—to go into an inquiry in which he would contend, that free-trade, and the establishment of free-trade principles, is at the bottom of all the mischiefs of the country, whilst those on this side of the House would contend that it is because free-trade has not been extended far enough, that we are now suffering—to go into an inquiry differing so entirely in principle at the very commencement of such inquiry, would, I think, be holding out no reasonable expectation to the country of any relief from the plans which we might adopt. The hon. Gentleman has not proposed his favourite scheme of the 11. notes. [Mr. Attwood: I never proposed any such scheme.] Well, then, that favourite scheme of the 11. notes, which has sometimes been propounded by hon. Gentlemen with whom I thought the hon. Gentleman agreed in opinion. If I am mistaken in that opinion, I am glad of it, because I rejoice to hear that the hon. Gentleman is not one of those who would have recourse to the issue of such notes. Sir, with respect to the matter of the present discussion—a discussion which must be as painful as it is important, there are some things, at least, that we may allow to those who plead on behalf of the Government. We must allow, in the first place, that they are not originally responsible for the causes of the distress that now exists. We may allow, in the second place, that they feel as much as any other men for their fellow-countrymen, who are now suffering from the effects of

that distress. We may allow, I think, thirdly, that there is no scheme which you can say at any particular period will have the certain effect of at once relieving that distress. Having made so much of admission, I must say that I entirely disagree with the course they have taken in the present Session. I agree, so far, with the hon. Gentleman who has just sat down—and I think I have on former occasions expressed that opinion—that her Majesty's Ministers were mistaken in considering that the financial difficulty was the primary evil with which they had to deal. I admit the continued deficiency of the public income to meet the public charges to be an evil; but I consider the primary evil with which they had to deal in the present Session was the depressed state of trade, and that the financial deficiency was only a secondary consideration. Now, the whole of the plan of the right hon. Gentleman, concocted by the Government with great care and deliberation, was evidently formed with the view, that the first and principal object should be to make the income equal to the expenditure; and after that, and as a secondary object, to endeavour to relieve trade from its embarrassment. I have no doubt, that with respect to that which they made the first object of their endeavours they will be likely to succeed. I do not think that this country is yet reduced to such a state that if you impose a considerable amount of direct taxation, that direct taxation will not so far answer its purpose as to produce a considerable increase of the public revenue. I will say still further, that although I differed from her Majesty's Government, and thought the Income-tax, which they proposed was not necessary, and therefore was not to be justified, that I think the spirit which the country has shown upon being told that such a tax was necessary of its readiness to bear the tax, is a presumption that the spirit of the country is unbroken, and that it is ready to encounter any difficulties with which it may have to contend. If I am right in my opinion that the country was called on without necessity to encounter that tax, that does not diminish, but rather increase the presumption that additional taxation can be borne. But with respect to the second, which I consider the greatest evil of the country with which we have to deal, namely, the *embarrassment of trade*, and the present state

of distress, the hon. Member for Whitehaven considers that we were altogether mistaken in adopting the plans of Mr. Huskisson; that these plans have entirely failed, and have been the cause of all the financial difficulties of late years. Sir, I cannot see that there is any proof of that proposition. I do not think that the alterations that were made with respect to cotton and woollen goods, and with respect to that which was more likely to bring us into competition with foreign countries, namely, the alteration with regard to silk goods,—I say I do not think that these alterations have been in any manner the cause of the deficiency of the revenue, or that there is any proof whatever that the country has suffered from that change. On the contrary, more than once I have been told that the consequence of these measures have been favourable to the industry of the country, that the general wealth of the country has been improved by these changes, and we therefore ought not to be deterred from adopting similar measures founded upon similar principles. But, Sir, where I think the case of the Government fails is, that, agreeing with the principles we hold on this side of the House—agreeing with the principles held by Mr. Huskisson, some of them having been his Colleagues at the time these measures were introduced, they rely upon certain changes which they have made on small articles, and they refuse to apply the same principles to other and greater articles. The right hon. Baronet the Secretary of State for the Home Department tells you that he thinks the changes which the Government have made in the tariff will give renewed vigour to the trade of the country—that they will produce increased exports, and thereby augment the industry of the country, and that that will not be a late or a distant, but that it will be a speedy effect of the changes which have been made by the Customs Bill, which we have recently passed. If that be the case—if the right hon. Baronet be correct in that supposition, even to some extent, how can it be that measures founded upon these principles should be right with respect to cattle, with respect to ores, with respect to seeds, with respect to oils, and various other articles in the tariff; and yet when you come to corn and sugar, that these principles should not be equally good? particularly when these are articles of much greater importance. The right

hon. Gentleman, the Vice-President of the Board of Trade, said that if you could introduce 50,000 head of cattle, and other articles, you would thereby have an export trade commensurate with that, and would, consequently, increase the employment of labour. Well then, if such be the case, while there is corn and flour in America ready to be sent over, how can you maintain that that which you have already stated to be true with regard to the articles you propose to admit, should be false with regard to other articles of still greater importance? You tell us that there are two grounds upon which you have made these changes—the one is, to increase the trade of the country, to give general facilities and a general improvement to your commerce; the other is, that by admitting a great number of these articles at a moderate duty, you will generally reduce the cost of subsistence in the country, and will thereby improve the quantity of your productions and the general wealth of the country. Why, on both these grounds, corn is a much more important article than any you have named. On both these grounds the admission of corn would produce a greater amount of exports in your cotton, linen, and woollen goods from your manufacturing districts; and with respect to subsistence, can there be any change, can the admission of cattle, or any one of the articles you name, be so important in at least preventing a rise in the price of subsistence, if not in reducing it, as a freer admission of foreign corn? The right hon. Gentleman, when I urged this on a former occasion, said, “Yes, but you on your part have proposed an 8s. duty, and that is not free-trade.” It is quite true that that was my proposition. But although others may prefer a free-trade in corn, I believe that if last year, while these embarrassments in trade existed, you established an 8s. duty on foreign corn, the producers of foreign corn both in Germany and in America, being certain what the amount would be—being certain that it would not exceed 8s.—would have sent very large quantities to this country, and thereby very materially have improved its condition. And I entirely believe, with the hon. Member for Montrose, that you might consume a far greater quantity of corn than you now consume, without injury to the agriculturist. The right hon. Gentleman the Secretary of State says it is his belief, that if you admitted foreign

corn in large quantities, you would thereby reduce all the persons engaged in agricultural pursuits to a similar state of distress as the manufacturer, and consequently the condition of the country would be made worse instead of better by such a change. I cannot believe that any consequences of the kind would follow. You at present have deficient exports to foreign countries. The amount of exports has been very considerable during the past year, and has been, probably, very considerable up to the present moment; but the workmen employed in producing these articles for foreign export are paid very low and insufficient wages, and with these low and insufficient wages they have to pay a very high price for food. If you admitted foreign corn, their means of purchasing food would be increased, and I believe that wages would be augmented at the same time. You would thereby improve their condition, you would increase employment, and you would benefit the country generally. I think the right hon. Gentleman who apprehends these consequences might have derived some benefit from the experience of the measures of his own Government. Let us recollect what was the case some two or three months ago, when the proposal was made for the introduction of foreign cattle. It was said that was as bad, if not worse, than the proposal of the late Government with regard to corn—that those who fed cattle for the purpose of manure, and the graziers throughout the country, would be ruined by that measure. There was a panic, and somewhat to confirm the apprehension entertained, a great fall took place in the price of cattle. I heard of men in Suffolk and Norfolk who, having bought cattle in the autumn, were obliged to part with them, after having fed them for a considerable time, at a less price than they cost. The apprehension then entertained seemed to be confirmed; the alarm appeared to be very reasonable. But you went on with your plan. The right hon. Baronet, the First Lord of the Treasury, had confidence in his own principles, and he relied upon those principles and the justice of the measures which he had propounded; he carried his plan by a very considerable majority in this House. And what was the consequence? When it became certain that every head of cattle might be admitted at 20s., did it produce an increased panic?



Far from it. Gradually men recovered their senses—they made their calculations—they found there was no such danger as they had apprehended; and what we have now to complain of is, not that agriculture is in a state of distress from the low price of cattle, but from every quarter—from the west of England, from the north, and from Ireland—we hear of a higher price of cattle than is consistent with general prosperity. I believe that if you had proposed—if you were now to propose—a more reasonable system as to corn, there would be a similar panic at the first moment, similar apprehensions entertained; but after it had been calculated what this country was likely to produce, and what was likely to come from foreign parts, that panic would be dispelled, those apprehensions would vanish, and you would find that while you improved the state of your manufactures, while you did much to relieve distress and give vigour and activity to commerce,—your agriculture, instead of being ruined, would stand upon a far sounder basis than it ever stood upon before; not upon the basis of the law which you have made to exclude foreign corn until a very high price is reached—but it would stand upon the basis of the capabilities of your own soil, of the skill of your own farmers, of the means which men would then apply, and the advantages which they would then have in supplying a rich manufacturing and commercial community, being at their own doors, in competition with men in the centre of North America or the middle of Poland, with all the expenses and drawbacks of transit. I therefore think, Sir, differing entirely from the Government in this respect, that very considerable relief—not instant prosperity, not an immediate and sudden change from distress to wealth—but considerable relief would be afforded to the country by the change of your Corn-laws. Then hon. Gentlemen say, “Do you mean to say the Corn-laws are the sole cause of the distress? Do you mean to say that prosperity has not co-existed with Corn-laws more restricted than the present?” Certainly I do not mean to say so; but as Mr. Canning said, when introducing one of his measures, though only a temporary measure, as to the admission of foreign corn, “I may think that for a certain patient rhubarb or senna would be a remedy, but I am not saying that the want of rhubarb or senna was

what originally caused the evil.” The hon. Member for Whitehaven spoke as to the policy of our foreign treaties, and said that the cause of the distress was not having formed a commercial treaty with France. The breaking off of the commercial treaty has not deprived us of any advantages we before enjoyed. It has not deprived us of anything that we had. It has certainly prevented this country, and I believe it has prevented France, from obtaining a trade which would have been for the benefit of both countries: but it cannot be said that this is an advantage we have ever enjoyed, and is therefore the cause of the distress. But what is very singular is, that the hon. Gentleman points to that as the cause, and asks us to make the treaties a remedy, while he refuses to consider the laws over which we now have power. He says, make a commercial treaty with France. There is a foreign government to be consulted—a foreign government to give its consent. I should be glad to hear that our Government had succeeded in commercial treaties with France and other foreign States, and that the provisions they introduced were beneficial; but I cannot answer, nor can they answer, for governments which may be influenced by the prejudices of their own people, by national feelings of hostility, and by a thousand causes which we cannot control, and which may induce them to come to determinations which we cannot alter; but this I know, with respect to the admission of corn, and other articles of import, that we have the power in our own hands, that legislation is within the compass and jurisdiction of Parliament, that this is a matter over which we have control, while that which the hon. Gentleman proposes, is that over which we have not control. The hon. Member and the hon. Gentleman who spoke after him say, it is in vain to hope, that by making concessions to foreign nations with regard to the import of articles of their production, you can thereby induce them to adopt a more liberal policy. That may be, or may not be, I believe that by giving an example to those nations, you are more likely to induce them to adopt a liberal system than you are by pursuing an illiberal system of your own. Of this I am quite sure, that if each nation says, “I will never give way till other nations give way; I will fight the battle of excluding what is useful to us till other nations admit what is

useful to them," we can scarcely hope to see a liberal system established. For my own part, I consider such a system of retaliation is not only illiberal and injurious, but is utterly unfair to your own people. What is the case with regard to any one of these articles? You suppose, that they may be had more cheaply, and of a better quality, from foreign countries. Your people would thereby gain an advantage, if they were admitted; but you say, "No; the silks and brandies of France might be of great benefit to our people, they might be of great advantage to them, but then the French government deprive their people of the benefit of our linens and linen threads, and therefore, as the French government punish the people of France, we, the Government of England, will punish the people of England." I think, that mode of reasoning on this subject is utterly fallacious; and I think, that on the night of the introduction of the tariff, the right hon. Gentleman showed conclusively, by practical examples, how great was the mistake into which you fell, for the right hon. Gentleman showed, that the consequence was with respect to us as it would be with respect to them, that whilst you by law excluded those articles, you could not prevent the smuggler from introducing those articles without duty into this country. What is the case of this very article? I think, that as to silk, two or three witnesses from the Board of Trade were examined before the import committee, who stated, that in their opinion, according to all the calculations they could make, one-half of the silks introduced into this country were without paying any duty whatever. The right hon. Gentleman himself read a letter which showed that for 8 or 9 per cent, a smuggler would introduce any article of silk into this country, and, at the same time, you are keeping up a duty of 30 or 40 per cent on these very articles. Would not the same thing happen to those foreign nations who, you say, would act on this illiberal system? Supposing, which is not impossible, they were to say in France and Germany, "We find that England has risen to prosperity while she kept up restrictive laws, that is the mode in which manufacturing prosperity is to be attained, let us imitate the example and have high and prohibitory duties;" supposing you admitted articles into this country which would form large articles of import, would you not be send-

ing articles which would be admitted in spite of their tariff? If you found it happen to you, would it not happen to them? Do you believe you could keep a trade of this kind, such as the hon. Member for Whitehaven has spoken of, that you could send abroad articles which would be sold at a cheaper rate than they could be sold in this country? That may be the case, but he said, at the same time, that articles imported from foreign countries were sold here at a cheaper rate than they were sold in those countries. I cannot believe that countries would consent to be carrying on a trade continually at a loss; that our merchants and manufacturers should be so entirely helpless, so much in want of the aid of legislation, as to go on year after year losing 10 per cent., instead of making 10 per cent.; that they should require any legislation, however wise and enlightened, to tell them that they were pursuing a false course, and would be ruined if they did not change their system. I believe, therefore, that the Government, while they have gone upon right principles with respect to many of the articles in their tariff, have not adopted that course which would be most likely to give relief to the distresses of the country, or most likely to revive prosperity. I have stated that opinion on more than one occasion. I have stated and recorded, by a resolution of this House, at the time the Corn-law was brought forward, that seeing the evil of the then existing Corn-laws, and especially of the sliding-scale, that the law which at present is in force was founded on a similar principle, and would probably be followed by similar results. I cannot see that there is anything in the experience of the Corn-law which has at all contradicted that opinion. On the contrary, I was disposed to think that when we had a 10s. duty, and prices rose to 62s., we should have had a large quantity of wheat admitted; but I am not aware that even that is the fact, or that we have, even during the time the present Corn-law has been in force, had a quantity of wheat admitted equal to that which was admitted under the law of 1828, with a much higher duty than at present exists. I cannot, think, therefore, that you have adopted a sound principle with respect to corn, and I must still hope that you will consider the subject, and that if you apply to that very great article of trade and of subsistence the same prin-

ciples which you have applied to other articles, and on which your reasoning has been so just and your majority so triumphant, you will make a material and most useful alteration in those laws. I shall, therefore, be ready, if any one proposes it, to give my vote in favour of an alteration of the present Corn-law, but I must consider that the House has made up its mind with respect to the plan of the present Session. The hon. Gentleman who made this motion has not pointed out any definite remedy. He only states in his resolution that it is the duty of her Majesty's Ministers to advise the Crown not to prorogue Parliament until some remedy is found for the present distress. Knowing what the duties of Government are, how inadvisable it is, and, as I think, how unjust, to place upon them, without giving a clear and definite alternative, the whole responsibility of not finding a remedy for the present distress, I own I cannot refuse to go into the ordinary committee of supply upon such a motion as the hon. Gentleman has made. I believe that the principles which I have stated upon former occasions, and which I have stated this night, with regard to the commercial policy of the country, are those principles upon which the Government must ultimately act. I lament that they postpone the consideration of the remedies, but I must leave upon them the responsibility of considering the time at which they will propose such remedies, and I will not, by any vote for a vague and indefinite remedy, tend in any way to augment their embarrassment. My vote, as I have said, would be given for a proposal to alter the existing Corn-law. That is a subject on which I have a clear and definite opinion, and therefore I can give a decided vote upon it. Upon the present motion I cannot, with equal satisfaction to myself, give that vote, and therefore I must refuse to concur in the amendment which sets aside the ordinary motion by which Government seeks to obtain the supplies necessary for the service of the year.

Sir *R. Peel* said: Sir, however various may be the opinions of Gentlemen on different sides of the House, with respect to the commercial policy of the country—however various their opinions respecting the measures which ought to be adopted for the purpose of mitigating the distress which all of us admit to be too extensive—still I trust no Gentleman present will feel

inclined to ally caused the evil." The to the propo: for Whitehaven spoke as sanction by tlf our foreign treaties, and ber for Greenock of the distress was not tion of the House commercial treaty with In most of the first off of the commer- hon. Member's motion,prived us of any in that portion of themyed. It has not the patience and fortitudeat we had. It people have borne their country, and entirely concur; but then I cance, from sixth paragraph, which conta have been posal to which the assent of the, but it invited, and it is a proposal to whantage House must in my opinion, for the sake the its credit and character, give close attetion before it decides. It is to this effect

"That an humble address be presented to her Majesty, praying that her Majesty will be graciously pleased to refuse her consent to the prorogation of Parliament, until a diligent and searching inquiry shall be instituted into the causes of the unprecedented distress existing at present all over the kingdom, and thereafter until her Majesty and this House shall have been assured by her Ministers that effectual means are secured to provide sustenance for the unemployed and their destitute families, until their sufferings shall be terminated by a demand for their industry and wages for their labour."

Now, Sir, what a shabby way is this of evading any discussion of the difficulties of the country! I am now speaking on the 1st of July, and up to this moment no notice has ever been placed upon the books for any inquiry into the distresses of the country. Even to night such an inquiry is not asked for; the House is only asked to concur in praying her Majesty not to consent to the prorogation of Parliament until a searching inquiry shall have been instituted into the causes of the distress. Sir, if any such inquiry were desirable or necessary—if the hon. Member for Greenock think that such an inquiry could be brought to any useful or practicable result—why has he not called the attention of the House to it long before this time? But you are called upon not to be contented with merely resisting any prorogation until this diligent and searching inquiry shall have been made. In what mode is this inquiry to be made? Are you to inquire by evidence at the Bar into the causes of the distress? If into such a complicated inquiry the hon. Member wishes to lead you, let me ask when would it be completed? How is it to be conducted? Or are we to have a

useful to them," we can scarcely say a liberal system established on our part, I consider such a calculation is not only illiberal but is utterly unfair to the people. What is the case with these articles? You may be had more quality, from for the people would that if they were the silk and fustian means are secured to provide of great assistance for the unemployed and their be of grateful families,—until their sufferings the Fall be terminated by a renewed demand for their industry and increased wages for their labour. We are not called upon to create a demand for their industry by a revival of commerce; no, but to provide sustenance to all in distress for an indefinite period. Now, Sir, let me ask what does that mean? what is it but the motion of the hon. Member for Knaresborough in another shape? It is the very same in substance, and I should like much to know who will undertake to discover the remedy; and after all, her Majesty and this House is to be contented with the assurance from the Government—

"Until her Majesty and this House shall have been assured by her Ministers that effectual means are secured to provide sustenance," &c.

What Government could undertake to give such an assurance? The hon. Member clearly means that we are to provide sustenance for the people. Again, let me ask whether that is not the motion of the hon. Member for Knaresborough, against which the hon. Member for Greenock voted? Whatever may be the opinion of the House on the Corn-laws, I do hope it will never affirm such a proposition as to call upon her Majesty not to prorogue the Parliament until a time which is left indefinite in the resolution. The hon. Member has not shown that it would be either wise or prudent in the House, or consistent with its character, to encourage expectations which can never be realized; and, as I understand the hon. Member for Whitehaven means to vote for the inquiry, I confess I am astonished that a Gentleman of his knowledge and experience should sit in this House until this day, the 1st of July, without ever having mooted the question before, if he now thinks it of such importance. The hon. Member

is going to give his vote for the motion although he sat down, much to my surprise, without intimating any opinion as to the causes of the distress or suggesting any remedy. 'Surely a mercantile and intelligent gentleman like him is as able to see and judge of the causes and the remedy as her Majesty's Government; he can form as correct a judgment upon them, and perhaps more so, than we can. Well, then, was it not surprising that he should sit down without offering one word to us or the House in the way of suggestion? [Mr. Attwood: I am not the doctor.] The hon. Gentleman takes exactly my course—he is not responsible, and, therefore, he will not prescribe. I undertook the responsibility. I was called in, and her Majesty's Government have taken the responsibility upon themselves, and with the utmost frankness we have proposed our remedies. All the hon. Gentleman will do is to attend a consultation of doctors, but he will offer no opinion of his own. We have taken the responsibility upon ourselves, and we have proposed those measures which we thought best calculated to relieve the distresses of the country. The hon. Member for Whitehaven thinks it absurd to expect any relief from a repeal of the Corn-laws; in that he is ready to give a decided opinion against the prescription offered by others. The hon. Member thinks that we are wrong in relaxing the restrictions of commerce. Now, will he propose to increase the restrictions on trade? [Mr. Attwood: No.] The hon. Gentleman will not alter the Corn-laws, and he is against any relaxation of the restrictions on trade, neither will he increase them; then, what are the remedies he would propose? Does the hon. Gentleman consider that any commercial intercourse on the part of this country with foreign nations is desirable? I think the praise he has bestowed upon the policy of the United States clearly shows his opinion to be, that we ought to refuse to purchase from any foreign country articles which we can ourselves produce. How far will the hon. Gentleman push these principles? If he pushes them to their full extent, he will annihilate all commerce. Commerce is merely the interchange of the productions of different countries, and if there be no interchange, commerce will cease to exist. It may be advisable to relax restrictions with caution; but, as I understand

the principles of the hon. Gentleman, he would push to its utmost extent the system of restriction on the import of all articles which we are ourselves capable of producing. That might be very well if the hon. Gentleman could adopt securities against the illicit introduction of those articles; but the hon. Gentleman would find that his attempt to encourage native production by a system of high duties would be defeated—he would find that the revenue would diminish, and that domestic industry would not be protected. I suppose the hon. Gentleman would propose as a remedy for the existing evils, the abolition of that law which renders paper currency convertible into gold—a measure which he has advocated on former occasions. He disclaims the intention of advocating the re-issue of 1*l.* notes, and I think it is clear, though he is not the doctor, that by exhausting his remedies he has placed himself in this dilemma. He thinks that the repeal of the Corn-laws would aggravate the prevailing distress; he considers that her Majesty's Government acts with great impolicy in proposing relaxations on commerce; he does not advocate the imposition of new commercial restrictions, he is not favourable to the re-issue of 1*l.* notes, and I apprehend, therefore, that he has no other remedy to suggest than that termed in familiar language "the little shilling;" making 9*d.* or 10*d.* pass as a shilling, and relieving those who issue paper from the obligation to convert that paper into gold or the precious metals. I do not believe the hon. Gentleman has any other remedy to propose than this. Indeed, I think I have shown pretty clearly that he can have no other remedy. I am surprised, considering the loudness of his tone, that he shrinks from suggesting his remedy, and that he shelters himself under the proposal for a committee of general inquiry into the distresses of the country. Let him go into that committee, let him there meet the advocates for the repeal of the Corn-laws, and if he fights his battle for the depreciated standard, I should like to know what time will be consumed before the committee arrive at any—not to say an unanimous—conclusion for the recommendation of a practical measure. I now come to the arguments of the noble Lord (Lord J. Russell), who says that he is disposed to adopt a much less hostile tone towards the Government than that of the

hon. Member for Whitehaven—a tone of hostility for which I can hardly account, considering that the hon. Gentleman has supported the financial measures of the Government, and did not offer any very vehement opposition to the tariff. The noble Lord says that her Majesty's Government have, in his opinion, attached too much importance to the financial difficulties of the country. The noble Lord thinks we ought to have treated somewhat more lightly those difficulties and embarrassments; considering, however, that a deficiency of revenue had existed for five years, and that that deficiency at length amounted to 10,000,000*l.*, it might suit the noble Lord to make light of the evil, but I apprehend the country did not come to the same conclusion. The noble Lord says that the people have afforded a gratifying indication of their public spirit by cheerfully acceding to the proposal of an Income-tax. But why have the people shown this cheerful acquiescence? If it be wrong to propose an Income-tax in time of peace, what stronger indication of general confidence in a Government could a people evince than by submitting to such a measure against their own conscientious impressions? Why, what must the people have thought of the late Government, and what must be their opinion of the present Government, if—through distrust in one Administration, and confidence in the other—they are ready to acquiesce, against their own opinions, in the imposition of an Income-tax in time of peace? Could a stronger manifestation be afforded of universal confidence in a Government? Is it not probable that the people came to the same conclusion with her Majesty's Government, that the political circumstances of the country are such that it becomes a matter of great public importance to equalize the national revenue with the expenditure—that delay and evasion are no longer practicable, and that, grievous as an Income-tax is, unusual as is the proposal of such a measure in time of peace, objectionable as is the inquisition which it establishes, yet so convinced are the people of this country that some vigorous and decisive steps are necessary that they willingly submitted to the impost; and I can tell the noble Lord that there is a very prevalent impression that, upon my first proposal of an Income-tax, it was the intention of the Members of her Majesty's late

Government to support the measure. That impression is very prevalent. I cannot know that it is true, but it is on no light authority that I state it. What circumstances induced her Majesty's late Government to change the view they entertained on my first proposal of the measure I cannot, of course, understand. As her Majesty's late Government abstained from intimating any intention of opposition when I first proposed this measure, as they said they would take time to consider it, the people may have been led to believe that—if the late Government, who were intimately acquainted with the financial affairs of the country, thus acted—there must be some good and conclusive reason for the proposal of a measure which was met in the first instance by such faint indications of opposition. But, looking at the general position of this country, seeing that on the north-west frontier of India we were engaged in hostilities of doubtful issue, and subjecting the East India Company to great expense—that, at the same time, we were involved in a war with China, the duration of which it was difficult to calculate—seeing that our differences with America had continued for several years, and that there was no prospect of their early adjustment—seeing that in another country, with which her Majesty's late Government endeavoured to cultivate an intimate alliance, there had arisen feelings of jealousy and hostility much to be deprecated—combining, I say, these considerations, the people came to the conclusion, and in my opinion a most wise one, that it was desirable to make a great effort to equalize the revenue with the expenditure, and that in making that effort the burden should fall on the property of the country, not upon those who are chiefly occupied in its productive industry. My belief is, that it was not an extravagant degree of confidence in the Government which led to the ready acquiescence in the proposal of an Income-tax, but a deep and conscientious conviction pervading the country that the time had arrived when a powerful effort must be made to put an end to the disorder in the finances. With respect to the tariff, the noble Lord, by his admission, has gone far to convince me that her Majesty's Government have pushed the principles on which the tariff is founded to as great an extent as is consistent with due protection to existing interests. The noble Lord

says, "You have reduced the duty on oil, on seeds, on ores, on timber; you have affected a great many interests; all I complain of is, that you have not carried your principles much farther." Now let us take the case of cattle. For a long period the complaint was urged, that the commercial intercourse of this country was restricted by the operation of the provision laws. It was said, "True, you admit corn under certain circumstances, but what course do you pursue with respect to cattle and meat? There is an absolute monopoly. Remove the restrictions, and the consequence will be a partial revival of commerce." Up to February, 1842, however, no Government ever mentioned the article of cattle. The late Government will say, no doubt, that they would have proposed an alteration with regard to cattle, for that such an alteration was consistent with their principles. I only know, however, that I never heard the restrictions on the import of foreign provisions mentioned in this House, except when charges were made against the Government for not adopting some measure for their removal. I have proposed rates of duty which were scarcely objected to by hon. Gentleman opposite—namely, 1*l.* per head on cattle, and 1*d.* per pound on meat. During the discussions on that subject, the noble Lord, though he voted for my proposal, did not adopt a line of conduct calculated to smooth my course. He addressed himself, in plaintive tones, to hon. Gentlemen on this side of the House, telling them they had good reason to complain of the deception I had practised upon them; and his speeches had rather a tendency to aggravate the panic which existed in the country, and which might have produced most lamentable results. The noble Lord complained that no notice had been given of the alteration with respect to cattle, and stated that a great panic prevailed on the subject. He said cases had come to his knowledge in which farmers had bought cattle, had fed them, and had then been compelled to sell them for less than the sum they originally cost. This circumstance shows that the interference with such interests is not unattended with practical evils. The panics consequent on such changes are frequently productive of considerable hardships to individuals; and the farmers who, in consequence of the panic in this case, parted—perhaps not very wisely—

with their cattle, had, I admit, some reason for complaint. The noble Lord says that, disregarding the panic, I had the firmness to adhere to my principles; I braved opposition; and I was eventually rewarded by finding that the panic was unfounded. But the noble Lord states that the reduction of duties I proposed has effected no good. Does the noble Lord think the same result would follow if his proposals were applied to corn? Now, I ask the House to judge of the position of the Government. One class of Gentlemen declare, that only one remedy can be effectual—the repeal of the Corn-law, and that nothing else will avail. The hon. Member for Whitehaven, who is practically acquainted with commerce, says that the Corn-laws do not, in the slightest degree, occasion the present distress; he says that commercial prosperity has co-existed with the Corn-laws, and that it would be absurd to expect any relief from their repeal; he implies an opinion that all commercial relaxations are unwise, and I should have thought his principle was this—that additional protection should be at once afforded to domestic industry; and he says that the grand remedy for the prevailing distress is to be determined by a committee of inquiry, proposed to be appointed on the 1st of July. What, I would ask, has been the practical course her Majesty's Government has pursued? We have reduced the duties on corn one-half. At this moment wheat is admissible at a duty of 9s., and if the old law had been in existence the duty would, I believe, have been 17. 3s. 8d. This was a practical measure. We proposed no vague committee of inquiry, in order to devolve the responsibility from ourselves upon the committee. We proposed a practical measure in the first instance, and we reduced the duties upon foreign corn one-half. Then, in order to relieve the country from its financial difficulties, we proposed, and we staked the existence of the Government on the proposal, to equalize the revenue and expenditure by direct taxation. But did we appropriate the whole proceeds of that taxation to the payment of the public establishments? No; we proposed to apply a large portion of those proceeds to the remission of duties, in order to feed foreign commercial intercourse, and we revised, almost without exception, the whole commercial tariff of *the country*. It may suit the purpose of

some hon. Gentlemen opposite to undervalue the efficacy of these measures, but the hon. Member for Montrose has not pursued that course. He has said that he thinks the tariff is a measure creditable to those by whom it was proposed, and that he believes that, on the whole, it will be attended with great benefit. But, in revising the tariff, we did not think it advisable to push to too great an extent principles which, abstractedly speaking, might be sound; or to create a panic, and to disturb the employment of capital, by too sudden and precipitate changes in the commercial laws of the country. My firm opinion is, that we adopted a proper course. I did not think we could be justly charged with an evasion of our duty, or with shrinking from our principles. We are blamed by some for going too far, by others for not going far enough. I ask you, however, to estimate all the difficulties with which we have had to contend, and I think any reasonable man will come to the conclusion that those difficulties have been fairly encountered, and successfully conquered. Then with respect to the Corn-laws, the motion before the House has no reference to the repeal or modification of those laws. It appears to me that any Gentleman who may be desirous of a further modification of the Corn-law, or of its absolute repeal, is called upon to resist this motion for vague and indefinite inquiry. If he considers that the Corn-law ought to be repealed, it is open to him to make such a proposition; but an inquiry of this nature can only delay the accomplishment of this object. I earnestly hope no such proposition will be made, for I trust a fair trial will be given to the law which has recently been adopted; but if any hon. Gentleman contemplates an alteration of that law, it is competent to him to bring forward the subject without voting for this practically delusive proposition of the hon. Member for Greenock. I maintain the opinion which I have formerly expressed—I do not think that any of the proposals I have heard with respect to the Corn-laws would have the effect of mitigating the distress under which the country is labouring. I conceive, indeed, that by too precipitate a change of such a nature, you would involve the agricultural population in distress, and thus add immeasurably to that suffering which already prevails to a lamentable extent among the commercial classes. I find that the

commercial prosperity of this country has been co-existent with the laws restraining the import of corn. I learn, on the authority of the Manchester Chamber of Commerce, that up to 1837, and for several years preceding, the manufacturing and commercial interests of this country had been in a state of unexampled prosperity, and yet that prosperity was co-existent with laws which prohibited the free import of corn. I know the answer to this will be, that during four years preceding 1837, the price of provisions in this country was unusually low, and that the lowness of price had the effect you anticipate from that import of foreign corn. But during those four years no foreign corn was imported, and consequently you had no demand for the manufacturing produce of this country in consequence of such importation. Your prosperity could not, therefore, be dependent on that commercial intercourse which depends on the import of foreign corn. But is the importation of foreign corn, and the consequent reduction of the price of food, necessary to enable you to compete with the foreign manufacturers? What said the hon. Member for Stockport? He said it was as absurd to demand protection for the cotton manufactures of England as it would be to demand protection for the coal trade at Newcastle; that is to say, that notwithstanding the comparatively high price of food in this country, we have still contrived to outstrip all our competitors in the production of cotton. I cannot deny the distress that prevails in many parts of the country—that it is most grievous in many districts where there are many cotton manufactories, and that it is severe in other districts. It is said that a great portion of the mills in this country have stopped working; that must be true, of course, with respect to some districts of the country; yet still it is a remarkable thing (I am not citing this paper for the purpose of denying the distress which prevails, the indications of which are too manifest), when we hear of this universal distress in a manufacturing district, and the immense extent to which the closing of mills has taken place, that the quantity of cotton taken out for home manufacture, as compared with last year, has not diminished. I have got from Liverpool an account up to the 24th of June of the quantity of cotton taken out for manufacture, and also of the quantity taken out during the

same period last year. For the first six months of 1841 there were 464,500 bales of cotton taken out of the warehouses for consumption. Now, I certainly did expect to find, of the statements that were made of the extent to which industry has been paralysed in the present year, as compared with the last; a diminution in the quantity of cotton taken out for manufacturing purposes. But that is not the case. The quantity of cotton taken out in 1841 for the first six months, was 464,500 bales; and the quantity taken out for consumption up to the 24th of June, 1842, was 538,000 bales. So that, notwithstanding the distress and the closing of the mills, yet still the total quantity of cotton taken out for consumption in the first six months of 1842 exceeds that taken out in the first six months of 1841; and I doubt if it is not almost equal to that taken out in the first six months in any preceding year, with one or two exceptions. I know that this is no proof that profits are not greatly diminished, and that distress does not prevail; but still it is a remarkable thing, that during the prevalence of that distress the quantity of cotton taken out has not diminished, but has increased, as compared with last year. Sir, I take, in one respect, a more depressing view of the position of this country than hon. Gentlemen on the opposite side of the House. I firmly believe that, if you repeal the Corn-laws, and this should produce the effect which you anticipate, that this would not give you a guarantee against the recurrence of severe distress in certain districts of the country. It is my belief, I say, that giving you the repeal of the Corn-laws, and giving you the consequences you anticipate, yet such is the condition of the manufactures (and particularly in this country), I am afraid you must look forward to, occasionally, severe local distress. At this moment, when distress is so severe in some parts of the country, there are new mills in the course of erection. ["Hear, hear."] That is a fact. The command of capital induces men, even during periods of severe distress, to construct new mills, and to fill them with new machinery. Now, what must be the consequence of this? Must there not always be in some localities men of small capital, and with imperfect machinery, yet still employing large masses of the population, who would find it difficult to enter



into competition with those who could command capital and apply it to the construction of the best machinery, and that ultimately labour would be thrown out of employment? To resist the progress of these improvements is impossible; and though there might be a demand for cotton manufactures, yet there might be simultaneously with that demand the existence of severe distress on account of the sudden application of new machinery to meet that demand. Sir, I won't dwell on this. I could prove it to be the case, and could show that the immediate consequence of the improvement of machinery and the application of capital to the construction of it, had been productive in certain parts of the country of extraordinary results—that the tendency of it was to drive out of employment adult male labour, and to substitute for it the labour of females and children; and the infallible consequence is, that the man of twenty-five or thirty years of age, who up to that period of life has been employed in a cotton manufactory, finds it difficult to turn his hand to any other employment. Now, you must not make the Corn-laws responsible for evils of that kind. It is no impeachment of the invention—the invention may increase on the whole the demand for labour, and may call into employment the mechanism and industry of other nations; the commercial prosperity may be great, yet in certain districts of the country, from which it is difficult to transfer a married man and his large family, the progress of these improvements may produce great distress, even in times when there is a great demand for labour; and in this state of things, even with an increased demand for your manufactures, I could not anticipate that absence of distress and suffering on which some hon. Gentlemen calculate. You apply opprobrious terms to our measures for alleviating the distress. You talk of “begging boxes,” and say that such things ought not to satisfy the people. I admit that it is a much less satisfactory mode of alleviating the existing distress than providing employment, in every respect. In a social point of view, I admit that it is less satisfactory to the honest feelings of those who derive a miserable subsistence from charity, than a demand for labour to enable them, by the sweat of their brows, to gain an honest livelihood. But when *the pressure comes*, can any one say that

even this unsatisfactory mode of relief ought not to be resorted to. And is it wise to disparage such modes of relief, and to discourage such contributions when you yourselves must feel that no improvement—according to your views—in your own commercial system could provide immediate relief? I was sorry to hear the hon. Gentleman (Mr. Gibson) say, that the contributions to the Anti Corn-law League were a more legitimate application of money. Why, even grant that the permanent effects may be so, yet still I do hope the hon. Gentleman and those who act with him—particularly after the admissions of to-night, that years must elapse before permanent relief can be afforded—will consider the length and extent of the temporary evil; and, if nothing but temporary remedies are applied, that they will not discourage the charitable contributions of those disposed by their liberality to administer this temporary—I admit, this unsatisfactory relief. Sir, I do give credit to the patience, the high spirit, and the forbearance with which the people of this country have borne their distress. I do believe that, if left to themselves, they would continue to manifest that patience; and I think them entitled to a higher degree of credit in consequence of the persevering efforts that are made to inflame their minds, and provoke them into disobedience. There are men, it is perfectly true, in those parts of the country, I have conclusive proofs of it, where there is a disposition to patient submission under distress—there are wicked men who are attempting to inflame the minds of the people by the exaggeration of their sufferings and privations. Now, it is quite right for us, as legislators, to be dissatisfied with temporary remedies; it is quite right for us to look for the permanent reduction of these evils; but let us forbear from making these statements; it will not answer any good purpose; it will not be for the interests of the people themselves; it will not be for the interests of society, in times of severe suffering and distress, to goad those who are the sufferers into disobedience of the law, which must be repressed. Sir, I can only think those entitled to still higher admiration who, in despite of such provocation, continue to submit to the law, and to manifest contentment and gratitude for those imperfect modes of relief which are obliged to be substituted for more satis-

factory and permanent ones. While, on the one hand, this increases our admiration for their forbearance and submission, at the same time it does on the other provoke our indignation against those who are attempting by violence of language to drive them into courses which must necessarily end, for the preservation of the best interests of society and of their own interests, in leaving to the Government no other alternative than the firm repression of disobedience to the law and the maintenance of the peace of the country against every effort to disturb it.

Mr. *Milner Gibson* said, that in spite of the censure thrown by the right hon. Baronet upon the sentiment, that subscriptions to Anti-Corn-law lecturers were more commendable, because more useful, than subscriptions for charitable purposes, he adhered to that opinion. He did not mean to say that it was right to inflame the lower orders—to use exciting language, or to be guilty of exaggeration—far from it; but if men were thoroughly convinced of the wisdom and soundness of any particular principles, they were justified in endeavouring to form a public opinion in support of those principles, and he knew of no more effectual mode of doing so, than by sending missionaries round the country to instruct the people. He begged to ask whether the friends of the Corn-laws had not, in former times, spent thousands in printing placards, circulating pamphlets, and forming clubs and associations, in order to make the community believe that a high price of grain was essential to national prosperity. Not less than half a million of money had been spent in forming agricultural combinations in order to keep up the price of corn, and to show that it ought to be kept up. The right hon. Baronet had said that the Corn-laws had co-existed with prosperity. It might be so, but what answer was that? The Corn-laws had been gradually undermining the sources of prosperity, and had brought the country to its present pitiable condition. A man in habits of intemperance might for some time appear in the enjoyment of health? but he must break down at last, and what answer would it be after his death to say, that it could not be owing to drunkenness, because formerly he had appeared to enjoy health. But to maintain that the Corn-laws were the cause of prosperity was nothing but the most monstrous perversion

of argument. The right hon. Baronet had not dealt fairly with the hon. Member for Whitehaven (Mr. Attwood). The course pursued by that hon. Gentleman, on the present occasion, was consistent and rational; he had long held that protection was the source of national prosperity—that restrictions were necessary; and therefore he was opposed to the tariff. But because he was in favour of protection and restriction, he was consistent in voting for inquiry. The hon. Member saw distress prevailing, and he thought that distress was owing to a particular cause; but because others were of a different opinion, he wished the point to be thoroughly investigated. It was now urged by the opponents of the motion that inquiry could lead to no practical result; but when agricultural distress existed, the House was absolutely dinned into the appointment of a committee to examine into the causes. The landowners would not be satisfied until they had carried their point; and the Paymaster of the Forces (Sir E. Knatchbull), who now listened with such tranquil and self-complacent indifference to the statements of commercial and manufacturing distress, in 1821 seconded a motion for a committee to inquire into agricultural distress. On that occasion, the landowners would not rest satisfied with the admission of distress—sympathy was not enough: they wanting not only the priest's blessing, but the priest's penny. The Paymaster of the Forces had then maintained that Government would abandon its duty if it did not consent to inquiry, and the right hon. Baronet (Sir R. Peel), acquiesced in the demand. On the same grounds it was now insisted that inquiry into manufacturing distress ought to be made. The right hon. Baronet might inform the House that new mills were constructing—that a larger quantity of cotton had been taken out for home consumption; but how did those facts show that distress did not prevail? The right hon. Baronet was compelled to admit the existence of distress and want of employment to an unparalleled degree. Whatever dispute there might be as to the causes, as to the fact there was and could be no dispute. If, indeed, the opponents of the motion thought that distress was produced by the Corn-laws, they would not be called upon to inquire. There would be no need of it, for all parties would be agreed; but because they did

not think so—because they maintained the contrary, the enemies of the Corn-laws asked for a committee, that they might lay before it the proofs that the Corn-laws were the principal—he did not say the only cause of the prevalent distress. As he represented the metropolis of the cotton manufacture, he might, perhaps, be allowed to make certain statements founded upon communications he had received from Manchester. He would not trouble the House with any lengthened details, but would merely supply a few important particulars. He would first read an extract of a letter, dated the 27th of June, from a gentleman of high standing and great commercial experience, and not one of the heated political partizans of whom the other side seemed to stand so much in dread :—

“ I regret to say that our trade is in a very unsatisfactory state, and apparently without any prospect of improvement. Our concern (the Oxford Road Twist Company) employ in spinning and weaving about 1,100 hands. Out of 1,064 looms we have at work, we have concluded to stop in the course of this week 400; this will throw out of employment upwards of 200 workpeople, many of whom have been in our service for fifteen years, and we fear have no prospect of finding employment elsewhere. We have been losing money by our business for some time, and are unable to dispose of our production, and apprehend we shall very soon have again to lessen it. I have confined my information to the state of our own establishment, but I may add that the distress in this town is such as I never before recollect, although I have been in business here forty years. You are at liberty to make any use of this letter you may think proper.”

The dean of Manchester had also put his signature to a statement respecting distress, with reference particularly to the distribution of relief arising out of charitable funds. It was as follows :—

“ The inhabitants of Manchester and Salford are respectfully informed that the funds of this charity are exhausted, and unless a liberal response be made by the public to the call of the committee, the soup-kitchen, in Bale-street, must be closed, at a time when it appears as much needed as ever, and when the poor are greatly alarmed at the prospect of such a calamity. The committee make a renewed appeal to the public on behalf of this charity, and testify to its extensive benefits. The poor are very grateful for the relief, as well as for the mode of its distribution; and hundreds have declared that it has been the means of saving them and their families from utter starvation.

“ In a limited district, it is calculated that the number of persons who have come under notice as recipients of this charity, and who are principally dependent on the soup for their subsistence, being entirely destitute of employment, is not less than 1,200, and of those who have partial employment, but stand much in need of help, about 7,500 persons. A few cases are subjoined :—

“ In one family, where there were three children, a few flocks on the floor formed the only bed, and a broken stool the only seat; they had been without food for nearly two days, and have since been mainly supported by the soup. A man out of work, with four children, was found in the evening beating one of his children, to force him out to beg, the family not having tasted food that day. He shed tears of thankfulness on a ticket being given to him. They had sold their bed, and lay on the floor. A woman and her son had had no food for two days, which was confirmed by a neighbour. She considers that they must have died but for the soup. A woman with several children, and no fire, in a cellar, have had only 1s. and the soup to live on for eight days. A man, his wife, and five children, had subsisted from Friday to Tuesday on a pound and a half of bread. Facts such as these might easily be multiplied; they need no comment.

“ The kitchen has been in active operation about twelve weeks, during which time more than 200,000 quarts of very nutritious soup have been distributed. At the commencement, the average daily distribution was about 1,600 quarts; during the last four weeks the average daily amount has been upwards of 3,700. If such a supply be needed, what distress would follow were it suddenly withdrawn! That it is needed, is the conviction of your committee; and they have reason to fear that the distress arising from want of employment, and from want of adequate remuneration for labour, is not on the decrease.

(Signed, on behalf of the committee),

“ WILLIAM HERBERT,

“ Dean of Manchester, Chairman.”

He would not trouble the House with other details respecting the alarming state of distress in Manchester, but would advert to the regret expressed by the Secretary of State for the Home Department, that the Member for Bolton (Dr. Bowring), had held out to the country the additional evil of a bad harvest. The right hon. Baronet had said that such anticipations were not only unnecessary, but injurious, as they excited unfounded apprehensions. What, however, was the evidence already obtained? Inquiries had been made in various parts of the kingdom as to the state and appearance of the crops, and the result was, that there

existed grounds for serious uneasiness that the harvest would be deficient. Was it not, then, the duty of the Government and of the House to look the difficulty in the face, and not to wait until the winter, when the country might possibly be afflicted with absolute famine? Was it an argument becoming a wise statesman to say that, for fear of alarming the timid, it was unfit to investigate the best means of meeting the danger. As to the chance of raising vain hopes, was it not possible to run into a contrary extreme—to lull people into a perilous security, and to prevent them from being properly alive to their real situation? If he were to aim at the character of a cautious statesman, he would much rather have dangers overstated than understated, in order that he might be prepared for the worst. With regard to the approaching harvest, he would take leave to quote an authority, which he apprehended would have great weight with the opponents of the present motion—he meant the *Farmer's Journal*. The following was a portion of the Corn-trade letter in that newspaper of June 20:—

“As regards the state of our stocks, much depends upon what quantity of wheat remains in the hands of the farmers. I am led to believe that it is quite insignificant—very nearly approaching to absolute exhaustion. This state of things will be found out very suddenly, if it take place at all. Such has been the case in Ireland—such may be the case in England, before relief can be had from the coming crop, and it behoves us narrowly to inquire what prospects we have as to the yield to be expected from it. Now, without going into the causes which have operated injuriously to the growth of corn, I will sum up the evidence I have received; and were I a juror, sworn to give verdict according to evidence, I should say, as far as quantity and yield is concerned, that under any circumstances as to weather, we cannot have a yield of wheat, oats, barley, or beans, at all equal to that of last year. The estimate of the yield of last year was, that it was deficient of the crop of 1840 by at least 4,000,000 of quarters, and this has unfortunately proved to be a fact. In order to come to a true knowledge of how we are placed at the present moment, we must consider that wheat once exhausted, we have no substitute to fall back upon; and, in the next place, examine to what extent our last three crops have received assistance from abroad as well as from Ireland—that Ireland is now bankrupt, and requires all that she has sent this year to be returned.”

The writer of the communication then  
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went into some details of figures, which it was not necessary to repeat, and concluded in the following terms:—

“It appears, then, that we have yearly received of wheat and substitutes the enormous quantity of 6,218,817 quarters, and having received them we have consumed them also. This year from abroad and from Ireland, we have received 1,000,000 of wheat and 1,000,000 of substitutes. There remains, therefore, a deficiency to be made up of 4,250,000, to be had from some quarter. Where are we to seek for it?”

The *Mark Lane Express* confirmed this view of the subject, and several passages might be quoted, showing that the prospects as to the coming harvest, were unfavourable. It could not be urged that this question was not germane to the motion before the House; because it was evident that the distress of the country would be vastly increased if there were any serious deficiency in the supply of corn. Neither would charitable contributions do any good: they would only bring fresh customers for and consumers of the small stock of grain, and would reduce the class now immediately above pauperism to the condition of paupers. To give money would not introduce food into the country; and the operations of the sliding-scale and Corn-laws (to obtain which so much money had been spent some years ago) had been to discourage the growth of corn in foreign countries, where formerly more was produced than was necessary for their consumption. The time might therefore arrive, perhaps even this year, when Great Britain would be unable from any part of Europe to make up for the serious deficiency of her own crops. It had been said, that the repeal of the Corn-laws would afford no immediate remedy, and upon this point the hon. Member for Bury (Mr. Walker), had been mistaken and misrepresented by the Home Secretary. That hon. Member had said, that the operation of the Corn-laws had gradually produced the mischief now lamented, and that it would not be for some three or four years after their repeal that the manufactures of the country would resume the position they would have held had there been no Corn-laws in existence. It was material to set this matter right, because all who advocated inquiries were of the same opinion, and that opinion was, that the only mode of meeting the present emergency and of re-

lieving commercial and manufacturing distress, was a total and unconditional repeal of the Corn-laws. When once embarked on the principles of free-trade, he defied any Government to stop short of this point. All prohibition must be removed, for as long as it existed, something that ought to come into the country was kept out. If twenty quarters of wheat were kept out, and prohibition were so far removed that fifteen of those twenty quarters were admitted, there would still be five quarters excluded. In both cases, of total prohibition and partial prohibition, the wants of the community were not allowed to be the criterion of the amount of corn to be introduced; and those wants could only be judged of by the community. How were statesmen to pretend to know what food was wanted in the country? Nothing could be more wild and visionary than for them to affect any such information. The right hon. Baronet at the head of the Government had given his assent to the principles of free-trade; but in all his speeches he had never been able to assign a satisfactory reason why, in his alterations of the tariff, he only went to a certain point, and no further. He had laid down the principles of free-trade as broadly and as clearly as any Anti-Corn-law lecturer, and all the difference was in the application. From the right hon. Baronet the country had heard these important points admitted:—first, that we had a right to buy at the cheapest market; secondly, that if we import, we must export in the way of barter; and thirdly, that the prosperity of manufactures was the prosperity of the landed interest. What then could be more reasonable, when these principles were acknowledged, and unparalleled distress prevailed, that Gentleman differing in opinion as to the causes, should come to the House and ask for inquiry. He was not for any refined criticism on the precise terms of the motion; if he shrank from agreeing in the proposition, and his only excuse was that the motion was not worded in the best way to lead to a practical result, he should be justly laughed at out of doors, if indeed he were not worse treated for availing himself of this paltry ground for resisting investigation. He therefore begged leave to caution Gentlemen, that if they declined voting on this question, for such a reason their true motives would not be misunderstood in the country. Out of doors,

people did not weigh and scrutinise all the “ifs” and “ands” of a substantive proposition, and they would not be satisfied with any such niceties of discrimination. They called upon the Government to take upon themselves the inquiry, and having completed it, to propose a remedy for existing evils. That was a legitimate proposition, and that was the fair import of the motion before the House. What would be said next Session if they complained of distress existing now? Why; “You never made any motions for inquiry. There was no motion before the House. You sat, like the right hon. Gentleman the Paymaster of the Forces (Sir. E. Knatchbull) in perfect indifference, and never troubled yourselves about it;” and hon. Members would have a right so to say. For, what would be thought of them at Manchester and in the manufacturing districts, if they allowed the Session to pass by without inquiry? He said that if they did, they would not have deserved to have been returned to that House—they would be unfit to be the representatives of the great interests of the country. They did not ask the House to interfere with the rights of others—they asked only that they should be allowed to exercise their industry in the callings which were within their reach, and to earn, by labour, the bread to which they had a right. When the agriculturists came to that House, did they come for any such thing? Did they come to be enabled to cultivate their estates, and to apply themselves to the best means of earning a livelihood? No; they asked that foreign trade should be checked, and that they alone should be the provision merchants for the country. The manufacturers did not ask the House to check the agriculture of the country. They merely asked the House to remove impediments which never ought to have been allowed to exist, and they were justified in claiming that their rights should not be postponed. The immediate repeal of the Corn-laws was their right, and they expected to obtain it. Why should the repeal be postponed to protect the vested interest? If twenty men were imprisoned, accused of no offence, and for no cause whatever, would it be right to say, “We cannot let you all out, because if you are out you will compete with labour which is already in the market, and so we must let you out one by one?” What sort of an argument would that be?

Yet that was the argument. They prevented the foreign trade of the country from being wholly free, and deprived thousands of their fellow-countrymen of the right to exercise their industry in their callings, to which they were entitled; and now they said that they must postpone doing justice, because they might interfere with the vested rights of those who commenced the original iniquity. One word with regard to the specious argument of the right. hon. Baronet, that we ought not to reduce our duties till foreign countries were prepared to reciprocate. He admitted that this was a specious, and he knew not but that in some cases where there was a probability of effecting an arrangement, it might be a reasonable proposition; but the right hon. Gentleman seemed to argue that we were the parties whose interests would be sacrificed in this question. Let them, however, look at our tariff. He said that the tariff with the Corn-laws was the most hostile tariff to free-trade that existed in any country. A great deal had been said about the Brazils putting on 15 or 20 per cent. on our goods; but what had we put on their great staple article of production—sugar? We put on a duty of 350 per cent. And hon. Gentlemen opposite were the parties who talked about our giving way. They imposed upon the Brazils a treaty as unfair and prejudicial to both countries as ever existed. Then as to France: hon. Gentlemen talked much of the 20 per cent. put upon English linens, whilst we put a duty on French brandy, which was something enormous—nearly 500 per cent. The reason why we ought to be the first to make the change was apparent. He believed that it was nothing but the energy of our population and the natural advantages of this country that enabled us to keep up our great extent of foreign trade in spite of those restrictions. The hon. Member for Montrose had referred to the opinions of other countries with regard to our tariff, and he would also refer to a speech made by a distinguished individual in America with reference to the English commercial legislation, General Talmadge, who said:—

"We will take as many of your manufactures as you please, if you admit our beef, pork, and grain on the same footing. But no, says grandmother England; our books on free-trade are for you to read and obey, but not for us to act up to. England, with her commercial regulations, has again reduced us to the condition of a mere colony to her.

Look at her Corn-laws. To name them is enough. She has, it is true, made a treaty of commerce and navigation with us; she has flooded us with her manufactures, and, in return, takes nothing from us."

The noble Lord thought that was a point on the other side. We did flood America with our manufactures in 1836, but what was that trade? It was paid for in bad securities, and in bills that were not available. It was no trade at all, and for this very reason, that we attempted to get up a trade with a country when we refused to take her staple articles. The General continued, in reference to England, to say:—

"She drains us of our specie to the amount of 1,000,000 dollars a month, and yet prohibits every article that we can carry her in return, but cotton. Let political quacks put plans of finance and currency upon paper as long as they please; there is no commercial condition which can be sound and healthy, but to put this country upon an equality, in regard to commerce, with the country with which she trades. Look at our rice: if that goes to England, it is met with a duty of three or four dollars; and so it is with everything that they can grow in their colonies, and therefore we say, put their goods on the same footing as they place ours. On our pork there is a duty of six dollars a barrel in the West-India market, and is not some retaliation necessary? Let us do justice to commerce, agriculture, and manufactures, and we ask no favour of the world."

He believed that he had quoted a gentleman of high authority in America, and he verily believed that an adherence to the sliding-scale by the right hon. Gentleman was looked upon in the United States as an attempt on the part of this country to perpetuate restrictions, and to give up, as far as possible, all commercial relations with America. He had to apologise to the House for detaining them. He could read to them further statements in support of his arguments, but he doubted not that he should have another opportunity of doing so before the end of the Session, for it was a subject which would be constantly rising up. He saw no hope of decreased distress. Although he approved of the principle that property should be called upon to pay our heaviest additional expenses, yet he did not believe when the Income-tax came to be understood, that it would fall upon property. It would be payable out of the fund which gave rent, and wages, and profits. It would be a struggle between the receivers of wages

of rent, and of profits; and as he knew that the receivers of wages were the least able to maintain that struggle, they would first fail, and the end would be, that the income-tax would fall upon the labouring classes of this country, and would make them worse off than they now were. The hon. Gentleman the Member for Whitehaven said, in reference to America, that if free-trade were so good a thing, America ought to be the most prosperous country in the world. But the hon. Gentleman ought to remember what was prosperity. It was not because a few individuals enjoyed a splendid income, that the whole society was prosperous. Society was prosperous when the great mass of the community were enabled to obtain a large portion of the necessaries of life. That was the case in America. Let them look at the rate of wages in America—a dollar a day—and the price of food there; and then let them look at the rate of wages in England, and the price of food here. We called ourselves prosperous because we saw splendid equipages rolling along our streets, and our shops filled with the most costly articles, whilst a great mass of our population were unable to earn a living they were willing to work for, and 1,200,000 of our population were receiving parochial relief. He said there was something wrong, and some evil at the root, when he saw this state of things—when he found our clergy preaching charity sermons, and our nobles getting up charity balls. [“No, no.”] Yes, charity balls and charity sermons were the means which the executive had adopted, in a time of unprecedented distress, to relieve the wants of the country. He considered these humiliating proceedings. He did not like to see the clergy drawn, as they must necessarily be, into a sort of political controversy. He was informed that, in many of the churches in this metropolis, and in one in particular, allusions had been made to the causes of this distress, and hints had been thrown out that it arose from a too large manufacturing system, so that there would be no hope of prosperity till the manufactures were reduced. What a system was that which set the clergy lecturing in favour of the Corn-laws, and of extirpating the manufacturing population! It would have been far better not to have imposed the duty of collecting these subscriptions on the clergy. *He did not think it judicious, and under*

*any circumstances, by this appeal to charity, they were only applying themselves to what appeared on the surface, they were not striking at the root of the evil.*

*Debate adjourned till Monday.*

*MINES AND COLLIERIES BILL.] Lord Ashley moved that the Mines and Collieries Bill be read a third time.*

*Mr. Ainsworth* ventured to hope that the noble Lord would not at this late hour press the third reading of this bill. He had received some communications since the former discussion on this measure, which induced him to believe that some further discussion would be highly necessary. He moved the adjournment of the debate.

*Mr. C. Villiers* hoped the noble Lord would assent to the adjournment. The subject was one on which great differences of opinion existed, and it was highly desirable that some further debate should take place. He believed that the bill, in its present state, would come upon the colliery labourers as a surprise, and that there were many parts of the measure which required amendment.

*Lord Ashley* was extremely sorry that he could not consent to the further delay of this bill in this House. He had received frequent communications approving of the measure, and, although if he felt that further delay would be advantageous, he should accede to the proposition of the hon. Member, yet, as the question stood, he could not assent to that proposition.

*Mr. Stansfield* thought that if the restrictive clauses of this bill were put into operation the trade in coals would be altogether annihilated. He supported the amendment.

*Mr. B. Denison* was bound to say that a very general feeling pervaded the west riding of Yorkshire in opposition to this bill. All were united in opposing the employment of women in collieries, but in giving the noble Lord all praise for his benevolent views, he felt that as the measure now stood he could not give it his consent.

*Mr. Protheroe* gave the bill his cordial assent, and hoped the noble Lord would not assent to the amendment.

*Mr. H. Hinde* said that his constituents were perfectly satisfied with the provisions of the bill; but he thought that there were parties, who were interested in its passing, who had not yet had time to express their

sentiments upon the subject. He should, therefore, support the amendment.

Viscount *Palmerston* was prepared to support the bill.

The House divided on the question of adjournment:—Ayes 16; Noes 62: Majority 46.

#### List of the AYES.

Aldam, W.	Morris, D.
Blake, M. J.	Mundy, E. M.
Bowring, Dr.	Pechell, Capt.
Denison, E. B.	Scott, R.
Gladstone, rt. hn. W. E.	Thornley, T.
Henley, J. W.	Villiers, hon. C.
Hinde, J. H.	
Knatchbull, rt. hn. Sir E.	TELLERS.
Leader, J. T.	Ainsworth, P.
Martin, J.	Stansfield, W. R. C.

#### List of the NOES.

Ackland, Sir T. D.	Hodgson, R.
A'Court, Capt.	Howard, P. H.
Aglionby, H. A.	Jackson, J. D.
Baring, rt. hon. F. T.	Jones, Capt.
Bateson, R.	Lefroy, A.
Blackstone, W. S.	Liddell, hon. H. T.
Borthwick, P.	Lincoln, Earl of.
Buller, C.	Lockhart, W.
Buller, Sir J. Y.	Mackenzie, W. F.
Campbell, A.	Mc Geachy, F. A.
Chelsea, Visct.	Mahon, Visct.
Childers, J. W.	Nicholl, rt. hn. J.
Clive, hon. R. H.	Palmerston, Visct.
Colville, C. R.	Peel, rt. hn. Sir R.
Courtenay, Lord.	Pringle, A.
Darby, G.	Protheroe, E.
Dickinson, F. H.	Rashleigh, W.
Douglas, Sir C. E.	Rushbrooke, Col.
Ellis, W.	Shaw, rt. hon. F.
Eliot, Lord.	Sheppard, T.
Estcourt, T. G. B.	Sotherton, T. H.
Evans, W.	Stanley, Lord.
Filmer, Sir E.	Stuart, H.
Forbes, W.	Sutton, hon. H. M.
Forster, M.	Vesey, hon. T.
Fremantle, Sir T.	Wawn, J. T.
Fuller, A. E.	Wood, B.
Graham, rt. hn. Sir J.	Wyse, T.
Greene, T.	Young, J.
Grogan, E.	
Hamilton, W. J.	TELLERS.
Hardinge, rt. hn. Sir H.	Ashley, Lord.
Hawes, B.	Packington, J. S.

Question again put that the bill be read a third time.

Mr. *Ainsworth* moved that the House do adjourn.

The House again divided on the question of adjournment:—Ayes 6; Noes 48: Majority 42.

[The names on the second division were the same as on the first with omissions.]

Bill read a third time further proceed-

ings adjourned. Additional clauses to be brought up on Monday by way of riders.

House adjourned.

#### HOUSE OF LORDS,

Monday, July 4, 1842.

MINUTES.] *BILLS. Private.*—1<sup>a</sup>. Buckingham and Chandos Estate; Street's Divorce.

2<sup>a</sup>. Toxteth Park and Sewerage (No. 2); Hele's Charity; Leeds Burial Ground; Blackburn and Chorley Road.

Reported:—Pilkington's Estate; Calland's Estate; Liverpool Improvement.

3<sup>a</sup> and passed:—Lord Southampton's Estate; Forth Marine Insurance Company; Mostyn's Estate; Marquess of Tweeddale's Estate; Verconsin's Naturalization.

[The Salmon Fisheries (Scotland) Bill on a Report from a Select Committee, was put off for six months.]

PETITIONS PRESENTED. By the Earl of Falmouth, from Thomas Treffry, against the Mining part of the Tariff.—From the Southern Baptist Association (Ireland), against the Grant of Money to support any particular Religion.—By the Earl of Malmesbury, from Ashbourne, against any further Grant to Maynooth.—From Inhabitants of Chowbent within Atherton, to Substitute a Declaration for Oaths.

ATTEMPT TO ASSASSINATE HER MAJESTY.] The Duke of *Richmond* wished to ask his noble Friend, the Secretary for Foreign Affairs, whether the reports that had been circulated were true, of an attempt having been made on her Majesty's life? He could assure his noble Friend, that he did not ask the question out of mere curiosity, and he begged of him not to give him an answer if there was any objection to give it, but he thought the House—meeting that day—ought not to separate without asking whether there was any truth in these reports.

The Earl of *Aberdeen*, in answer to the question of his noble Friend, could only say that he entirely sympathised in the feeling which his noble Friend had evinced, and which he was sure was felt universally by the House and throughout the country. He had to state that the individual referred to, had been arrested, but as he was still under examination, he thought it would be premature for him to express any opinion, or to make any statement on the subject at present.

INCOME-TAX.—JULY DIVIDENDS.] Lord *Brougham* wished to put a question to the noble Earl, the President of the Board of Trade, respecting a matter which had given some alarm in the city, particularly among persons connected with the funds. It was understood, that the Income-tax was to be levied on the July Dividends, so as to extend back to January, instead of



April, when it came into operation. It seemed to him that it could be properly levied only upon a moiety of these dividends.

The Earl of Ripon would make inquiry on the subject, and give an answer to-morrow.

The House adjourned.

## HOUSE OF LORDS,

*Tuesday, July 5, 1842.*

MINUTES.] *BILLS. Public.*—2<sup>o</sup> Customs' Acts.

*Private.*—1<sup>o</sup> Liverpool and Manchester Railway.

2<sup>o</sup> Imperial Bank of England.

*Reported.*—Cauvin's Estate; Deptford Pier; Viscount Lorton's Estate.

3<sup>o</sup> and passed:—Pilkington's Estate; York Cathedral.

*PETITIONS PRESENTED.* By Lord Brougham, from Miners and others of the Newton Main pit, township of Ledsham, against parts of the Mines and Collieries Bill.

**CUSTOMS' ACTS—THE TARIFF.]** The Earl of Ripon, in rising to move the second reading of the Customs' Bill, said that, although it had been stated, particularly by his noble Friend on his left hand (Earl Stanhope), that several objections would be made to this measure, yet, judging by appearances, (alluding to the few Peers present,) it did not seem very likely that these objections would be very seriously pressed, or be decidedly adopted by their Lordships. At the same time, as this measure involved matter of considerable importance—though the only part specially interesting to their Lordships was probably contained in the schedule at the close of it, it would be his duty, and their Lordships would expect him, to make some statement of the grounds on which her Majesty's Government proposed so extensive a revision of our customs, as well as the general principle on which the proposed alterations were founded. In making that explanation, he might have to refer to one or two particular items which appeared to him of superior importance, or which might be likely to attract their Lordships' attention. The subject of our tariff of import duties was one that had, for many years past, from time to time attracted the attention of Parliament. It was not at all surprising that it should have done so. Any one who had attended to the details of these subjects must have known that, during the twenty-five years of war which occupied the close of the last and the beginning of the present century, the fiscal necessities of the country compelled Par-

liament to make great additions from time to time to the duties charged on articles of foreign produce imported into this country. Those duties were imposed exclusively for the purpose of revenue, at least with very few exceptions. But the duties when so imposed did in their practical operation materially affect the principles of our commerce with foreign countries. In many cases duties were laid on without reference to the value or the price of the article, and the effect was to create strong protected interests at home which Parliament did not advert to in imposing those duties. Some of these duties were confined to the period of the war—others continued after its termination. Such a state of things, when a return of peace altered our position with foreign countries, and even the position of different parts of this country with each other, could not fail to excite the attention of persons concerned to the amount of those duties, and to the degree in which they pressed on the manufacturing and commercial interests of the country. Accordingly in 1818, when complete peace was restored by the withdrawal of the allied armies from France, and when the restoration of the currency in 1819, a measure of which he was not going to enter upon the merits, had affected the price of all articles, the attention of Parliament was drawn to the subject of the import duties, by two petitions presented to both Houses of Parliament, and by examinations before committees of either House. His noble Friend, the noble Marquess opposite (Marquess of Lansdowne) presented one of those petitions to that House. It was signed by the most distinguished and eminent men connected with commerce, and the noble Marquess followed it up by moving for a committee to inquire into the general subject of our foreign trade. That was a very useful proposition, and was cordially acceded to by the then Government, and particularly by Lord Liverpool, who at that time was First Minister, although there were many difficulties in the way. Interests had grown up in the course of a long war opposed to change, but it was felt that the true commercial policy of the country, whenever Parliament was enabled to follow it, was to revert to that more open and free system of commerce which prevailed before the war, and that whenever it was possible the tariff should receive a general and searching revision.

When the petition to which he had referred was presented in the House of Commons, he took the opportunity of stating, on the part of the Government, its general coincidence in the principle, and his own conviction that when a favourable opportunity offered, a revision of the import duties should take place. The difficulties in the way of such a proceeding were, as he said, very great. Among others, the effect of the change in the currency operated to an extent which no one anticipated. But still the principle that a more free system of commercial intercourse was that which should be aimed at was admitted on all sides. The progress of giving effect to this principle was slow, and had been represented to have been more slow than was consistent with good policy; but he did not think so, because changes of this sort ought to be gradual, and not forced against public feeling. The principle, however, he had always maintained, and it had been his lot to suggest measures founded on that principle, which had been adopted by the Legislature. A late right hon. Friend of his, Mr. Huskisson, whom he could never name without great respect and an acknowledgement of the ability which he manifested in all matters connected with the commerce of the country, did in 1825 take the first decided step to bring the tariff of import duties under the consideration of Parliament, with a view of putting them into a condition more reasonable and more advantageous to our foreign commerce. In the following years successive Governments had carried out the principle still further. In 1835 and 1836, very extensive alterations took place in many of the articles of the tariff, on the same principle and with the same object. When her Majesty's present Ministers were called on to administer the affairs of the country, they found that this principle had received the sanction of Parliament, and they found themselves placed in circumstances which made it imperative on them to take a more general view of the whole subject, with a view of considering whether they might not at once carry the principle into more extensive effect. An examination had taken place into the subject before a committee of the other House of Parliament, to which it had been referred. The question was not referred to that committee so much for the purpose of their giving a general opinion on the abstract principle, as for that of seeing practically how the present duties worked, what was their amount, and what was their effect on the introduction of the articles on which they were levied. He would not now enter into the question as to whether he did or did not agree with the report of the committee, or with the opinions of individual witnesses examined before it; but he said that it was impossible to look at the tables which the committee presented without seeing that the tariff was now in such a situation as made it absolutely necessary that it should undergo a revision. Some articles were actually prohibited—others were subjected, nobody could tell why, to duties so high as to amount to a prohibition. Such articles, of course, produced no revenue at all. Many others, without any visible or assignable reason, were loaded with duties of from 60, 100, and even 200 per cent., amounting practically to all but exclusion, tending to the interruption of commerce, to the inconvenience of the consumer, and to the injury of the revenue. At the same time smugglers were enabled to introduce these very articles to the detriment of those who supposed themselves protected by high duties, and to the injury of public morals. All these considerations, respecting which it would be waste of time to go into details, made the Government feel the absolute necessity of overhauling as it were, the whole system of import duties. Their Lordships would feel from what he had said that they had done this not unnecessarily, and that the present measure was neither a hasty nor an ill-timed one. The revision of the tariff was a matter of no small difficulty. In the tables presented by the committee there was one column of great importance, which was not filled up, namely, that which should contain what was supposed to be a just proportion between the duties to be levied, and the average prices of the articles in bond. It was necessary to ascertain this in order to tell what duties should be attached to any specific article, and this information the Government endeavoured to procure in the first instance. In revising the tariff, the first principle adopted was to put an end to prohibitory duties, which he had not heard defended by any one, even of those who thought the Government had gone too far in admitting foreign articles. No one now contended for more than a protecting duty, and the only question was, how far the protection should be

carried. The proportion of duty to be levied varied according to the nature of the article. With regard to articles necessary for our own manufactures, the principle adopted was this—that the duties on all raw material, some of which were exceedingly high, should be reduced within the limits of 5 per cent. on the value of the article, and as much below that as was practicable. With respect to articles partially manufactured, but necessary in that state for some of our manufactures, such as thrown silk, the principle adopted was that the duty should not exceed 10 per cent. on the value. With regard to manufactured articles themselves, the general principle was, that the duties should fluctuate between 12 and 20 per cent. on the value. Mr. Huskisson in some of the important alterations which he proposed, thought 30 per cent. necessary; but it did not appear to the present Government justifiable to put the protection of manufactures so high. Some of the present protecting duties were lower, and yet sufficient. The duty on cotton goods was 10 per cent., and on woollen goods 15 per cent., which, to say the least, was abundant protection. They were also guided in the regulation of the rates of duty by a reference to the duties which foreign governments might impose on British goods. The treaty with Portugal placed a duty on every sort of British manufacture of 15 per cent. the treaty with Brazil gave the same advantage. It was always considered that 15 and 20 per cent. were rates of duty of which England had no right to complain, but it was necessary that she should manifest a disposition to give corresponding foreign articles, or at least articles as it were in *pari materiâ*, the same facilities which she wished to obtain for her own goods in foreign markets. By adopting, therefore, a duty of 15 or 20 per cent. on foreign manufactures, we should show that we did not seek a higher protection against other countries, than we expected them to give their own manufacturers against ours. That was the principle on which these duties in reference to raw materials had been reduced in this tariff. He did not mean to say there were no exceptions; there were exceptions, exceptions which he certainly regretted, but he thought the circumstances which led to the making them were such as fully justified them. The two material articles of raw manufacture

on which they had proposed no reduction were certainly very important ones, cotton wool and wool itself—both of them articles no doubt of essential importance. The duty in both these cases amounted to full 5 per cent. on the value, or nearly so. The only justification, especially in the case of cotton wool, for not reducing the duties on these articles, was the amount of revenue it would occasion the loss of; and looking to that circumstance, and looking to various considerations applying to other articles on which it was proposed to make large reductions affecting the revenue, it was thought that it would not be desirable, at the present moment to reduce the duties on these articles; and he certainly thought, notwithstanding the arguments of Gentlemen for whose opinions he had high respect, that, looking at the public interests generally, the selection which had been made of duties for reduction was more likely to be generally advantageous to the country than if some of them had been omitted for the purpose of including the duty on cotton wool. There was another exception to which he wished to advert, and that was in the case of articles of silk manufacture, in which they did not propose to make any reduction. Their Lordships were, probably, aware that, although the duties on manufactured silks were from 25 to 30 per cent. on the value, in some cases even more than 30 per cent., yet these high duties did not operate as a prohibition, for the importation of the article was still so extensive as to produce an annual revenue of between 200,000*l.* and 300,000*l.*; so that, although the duty was certainly too high, it did not exclude foreign silks from this country. In reference to this, as well as to some other articles on which the duties had not been reduced, he had another remark to make; their Lordships were aware that negotiations had been carried on with France, for the purpose of endeavouring, on our part, to place the commercial interests of each country on a more satisfactory footing; and their Lordships would naturally imagine that in such a negotiation silk was a manufacture on which the French would more particularly be desirous of obtaining some relaxation in our duties. From circumstances into which it was not necessary for him then to enter, this negotiation had not been brought to a final conclusion; and he deeply regretted that such should

be the case, for he confessed he thought it would have been wise policy on the part of France, and he was sure it would have been wise policy on the part of England, to have regulated the commercial relations of two such great and wealthy countries on principles which would tend to mutual advantage, and still mutual jealousies. He had not, however, given up the hope that a time might yet come when this great object would be satisfactorily accomplished. But in the mean time, this subject being still, as it were, under negotiation or, at least, liable to a revival of negotiations, it was felt by the British Government that it would not be consistent with prudence to make a reduction in those duties which were among the principal subjects of negotiation; and this remark applied to other articles, as well as to silk. It was obviously desirable that we should retain certain advantages which we might be called upon, in future negotiations, to concede to France and other countries—that we should reserve something to offer them in return for concessions which they might be disposed to make to us. In this policy, he would submit, there was no illiberality, no jealousy, no hostility chargeable upon the Government of this country; it was simply a principle of sound policy, due to the protection of our own interests; and he was firmly of opinion that arrangements would yet be made with France and other countries, in the highest degree advantageous to all parties. There were many other articles named in the tariff, on which it was unnecessary for him to trouble their Lordships; but there was one article, which might be justly called a material of manufacture, on which he would say a few words—he referred to the timber duties. These duties had often been the subject of discussion in Parliament; but he had never heard any one contend that the duty on timber was, in itself, a desirable thing; or that, considered as a duty, it was anything but a severe infliction on the consumer, that consumer being the whole people, for it was clear that every member of the community was more or less interested in having timber at a moderate price. Every house, public or private, from the palace of the Sovereign to the cottage of her lowliest subject, was interested in having cheap timber. Every implement of machinery and agriculture, almost everything used in carrying on every sort of trade, was interested in having cheap timber; and, more especially, there was one interest of very great importance to this country, the shipping interest, which was vitally concerned in this question of cheap timber. It was to be borne in mind that at this moment thousands of vessels were traversing the ocean, were navigating every sea, bearing the flags of nations which, fifty years ago, and even much later, never dreamt of entering into commercial navigation; and it was, therefore, essential to this country, while all the world, well nigh, was thus competing for the carrying trade, that all the impediments which stood in the way of our shipping interest should, as far as possible, be removed, so as to give our commercial navy a fair chance and prospect of competing successfully with every other country in the world, whatever incidental advantages remained to some of those countries in particular respects. Upon this subject he might succinctly state, without going into unnecessary details, that he believed there was no article employed in the equipment of vessels on which the duties were not reduced to the lowest possible point in the present tariff. One particular item of expense he might here advert to, though it did not occur in this portion of the tariff, and that was the article of salt provisions—an article, of course, of main importance in the equipment of vessels. As the law now stood, although vessels going on a foreign voyage were permitted to take on board, for their own consumption, certain and specified quantities of certain other articles, such as rum and sugar, without paying the usual duties on those articles, yet they were not in like manner permitted to take on board, without the payment of duty, foreign salted provisions for their own consumption, although an article of equal or greater importance for this purpose than those he had mentioned. The only way in which British vessels could take these salted provisions on board, was as cargo to be exported to some foreign port; and in order to give effect to this restriction the law required that every vessel which had exported such a cargo should bring back a certificate from our consul at the particular port, that the salt provisions in question had been landed. The law in this respect, however, was continually evaded, and it was highly desirable that

it should be done away with altogether, and that the certificate should no longer be required. The next matter to which he would call the attention of their Lordships was the general question of provisions, especially cattle. On this point he was aware a battery was about to be opened on him right and left, but he was so entirely convinced that the objections which had been made to the proposed alterations in this respect were altogether without foundation, that he was greatly in hopes he should convince both the noble Earl near him (Earl Stanhope) and the noble Duke on the cross benches (the Duke of Richmond) that they were wrong, and ought to withdraw their threatened battery. As to sheep, there was no chance of their coming to any extent worth speaking of. The merinos were, he believed, pretty well given up, and at all events most assuredly the agriculturists here need be under no apprehension of their entering into any formidable competition with our own South Downs, and he believed there was quite as little chance of the British farmer being undersold to any extent by the foreign grower in the article of cattle. The law as it now stood was not, however, a fixed and permanent law. Some of their Lordships might recollect that they had passed nearly twenty years of their lives under a different system of law from the present. During the whole of the war, from the year 1793, the law prohibiting the importation of foreign cattle, sheep, and pigs, were suspended, and foreign cattle, sheep, and pigs, could for twenty years be imported into this country duty free. He was well aware that this was in time of war, and that the circumstances of the war were such as to defeat, in a great measure, the intentions of the Legislature in giving the Crown the power to suspend the prohibition; for France, Belgium, and Holland, and afterwards the north of Germany, and Denmark, then the only portions of the continent within reach of us were, the first of them our enemy, and the others the allies of that enemy; so that practically the suspension was inoperative; but, nevertheless, the fact of the suspension showed that in those days the policy of permanently prohibiting the import of foreign cattle, sheep, or pigs, was admitted to be untenable under those circumstances, and circumstances which had happened once might happen again. It

did not follow that it would require just precisely the same circumstances as in 1793 to induce the Legislature again to suspend the law. There was a variety of circumstances which might lead to the same result, and he considered for his part that it would be infinitely to the advantage of the British Government to exchange the present system for a permanent system of a moderate duty. There were many other reasons why a moderate duty should be substituted for the present rates. He knew quite well that the breeding of cattle in this country had of late years greatly increased—that the capital which had been expended in agricultural improvements had been partly devoted to improving the breed of cattle, but at the same time he might well doubt whether the quantity of cattle had increased exactly in proportion to the increase in the population; and when their Lordships considered the rate at which population was increasing, he certainly must conceive that it behoved Parliament to look a little beyond the present moment, and endeavour to provide in time against a contingency which, should it arise, would fill every well-wisher to his country with deep regret. If the case were as he stated, surely to maintain prohibition for the sole purpose of giving a monopoly—for prohibition was nothing less—would be a very short-sighted view of what were the interests of the consumers in this country; and he was sure that there could be no person in that or the other House of Parliament, or out of Parliament, to whatever particular interest he might happen to belong, who would not feel and admit that the interests of the consumer were the interests in which they were all deeply interested. This was his opinion, and, as he believed, the opinion of all men who thought on the subject; and he was confident that this consideration would not be overlooked by noble Lords in deciding on the policy of this alteration. He would proceed to consider what might be the effect of this alteration on that interest which was supposed to be especially liable to be injured from the adoption of this change; and here, he could not help thinking that there was no foundation whatever for any anticipation of evil to the British farmer from reducing the duty on foreign cattle to 20s. a head. This was an exceedingly moderate duty, and of itself could not operate as anything more

than a slight duty for revenue. As to the cattle to be imported, he must say, looking round at the various parts of the world whence the great, the formidable invasion of bullocks was threatened, he could not, for the life of him, find out where these bullocks were to come from, for he did not know where they were. He was sure they would not come from France; every person who knew anything of that country was perfectly well aware that meat was exceedingly dear there. There were publications issued on the part of the French government, which demonstrated beyond the possibility of doubt, that the supply of cattle in that country in no degree kept pace with the increase of its population. France was essentially an importing country in this respect; she could not feed her population unless she imported cattle; and there were some circumstances connected with the price and consumption of cattle in France, upon which he would say a few words. He would not trouble their Lordships with any details as to the imports and exports of France; it was quite clear she must import; but the degree in which the price of cattle had been raised in France, and the degree in which the consumption had failed to keep pace with the population, was somewhat curious, and was moreover quite sufficient to calm the apprehensions of the noble Duke, if he thought France was the country whence the flood of foreign cattle was to inundate the British farmers. As to prices, he held in his hand a table, published by the French government, and printed with other papers before their Lordships, which showed the prices of cattle in France from the years 1820 to 1841. He found that the prices of cattle sold in those years at Poissy and Paris were these:—In 1820, 9*l.* 14*s.* 4*d.* a head; in 1821, 10*l.* 13*s.* 7*d.*; in 1822, 11*l.* 16*s.* 9*d.*; in 1823, 11*l.* 11*s.* 2*d.* He would not go through the whole list; it was sufficient for him to state that the price went on progressively rising year after year, until it reached, in 1837, 14*l.* 8*s.* 9*d.* a head; in 1838, 15*l.* 3*s.* 2*d.*; in 1839, 15*l.* 13*s.* 7*d.*; in 1840, 15*l.* 4*s.*; and in 1841, 19*l.* 2*s.* 6*d.*; so that in 1841 the price of the head of cattle in France was more than double what it was in 1820, while at the same time the average weight of the cattle had diminished. Their Lordships would see that this increase in price tended materially to affect the consuming

powers of the people; and, in illustration of this, he would proceed to state some facts as to the number of cattle consumed in Paris before and after 1798. In the latter year, the consumption in Paris was, of oxen, 70,000; of cows, 18,000; and of calves, 120,000. He could not exactly state what the population of Paris was at that period, but the average of the population from 1812 to 1816, when, of course, the amount had increased above what it was before 1798, was 547,000. Now in these years, from 1812 to 1816, the consumption of Paris, which, of oxen, was, in 1798, 70,000, was only 71,996; and when you come to the four years ending 1840, when the population had increased to 950,000, the consumption of oxen was only 70,757; of cows, 18,924; while the consumption of calves, which in 1798 was 120,000, had dwindled down in the years 1837—1840, to an average of 79,000 only. There was manifestly, then, no need of apprehending a very alarming importation of cattle from France, not to mention that when the ports of England were opened to foreign cattle at the reduced duty, this competition would necessarily raise the price of cattle in France still higher than it was at present; so that the British grazier would have still less cause for apprehension. Belgium, in this respect, was much in the same condition as France. Great apprehensions had been expressed, too, as to the Flemish oxen, and, no doubt, that breed of cattle was of a superior kind. Great pains were taken with it; but he believed there was no part of Europe in which the supply was so inadequate to the demand as in Belgium, and where the price had been raised in a more marked manner. It was true that Belgium made some few exports, but these were altogether of cattle imported from Holland and other contiguous countries. The first impression produced in Belgium at the news of the intended change in our tariff, as to cattle, was one of great alarm; for they thought that when England stepped in as a competitor for the supplies of foreign cattle, the price would necessarily be raised in Belgium, but this alarm had since subsided, just as the cattle fever, he believed, would ere long subside in this country, and with it the pangs and throes of his noble Friend, who he hoped would soon grow perfectly calm and satisfied, and pleased with the arrangement. The same remark he had just made would ap-

ply to the whole German League. From some portions of that League no doubt cattle were exported; but from the papers before their Lordships, it appeared that in those countries the breeding of cattle in no degree kept pace with the increase of population, and the price, moreover, had been for a series of years on the increase. From Austria, most assuredly, no cattle would come. Austria, in the first place, was not within reach of this country for this purpose; and, moreover, the Austrian government had laid an export duty on its cattle, showing that they did not suppose they had more than enough cattle for themselves, if enough. As to Poland, it was but the other day that he was looking at a document published by the Russian government, showing the condition of Poland for the last ten years, and which, after giving an account of a series of different harvests which had occurred there, went on to give a statement respecting the cattle raised in that country, whence it appeared that Poland was so straitened in this respect, that it had of late years obtained the greater portion of its cattle from the depths of Russia; so that the fat beasts which were to come over here from that quarter, to spread ruin amongst our agriculturists, must begin their long march from the depths of the Ukraine. He did not suppose that his noble Friend could expect to see cattle come from such a distant country in fine condition. He recollected, during the occupation of France by the allied army, seeing a herd of from 3 to 4,000 cattle, which had been sent from Hungary for the supply of the Austrian troops there; and, although they were large bony animals, yet, after their long journey, their appearance was most miserable, and they were lean and thin in the extreme. There were, then, only two spots in Europe from which they could expect any great supply of cattle—namely, Holland and Denmark. Both these countries were very limited in size, and not every part of them was qualified for the rearing of cattle. He would not detain the House by going into statistical details respecting the probable amount of cattle which could be obtained from these countries. He believed, however, that the result would show that the part of Europe from whence cattle could be expected, did not afford a supply of cattle, either in quality or quantity, such as could *injure the grazier* of this country. When prices had a tendency to be extremely high, no doubt the effect of this alteration would be to limit the prices by competition. He thought that this would be rather beneficial than otherwise, as it would prevent the producer getting an unfair share of advantage at the expense of the consumer. He contended, then, that the proposition for the importation of foreign cattle was just, safe, expedient, and wise in itself, and would not only prove advantageous to the consumer, but it could not prove injurious to the breeder of cattle. His noble Friend, the other night, gave him a long list of articles, the proposed duties on which his noble Friend could feel called upon to comment on at a future stage of the bill, and his noble Friend said, that he should require an explanation with respect to each of them. His noble Friend, no doubt, would go into a statement with respect to each of them; he should, therefore, postpone what he had to say on those various articles until then, when he would endeavour to answer any objections which his noble Friend might make, if his memory did not fail him in going through such a multitudinous list. He would not dwell longer on this list of articles at present. He would not say any thing then to revive the controversy with respect to the sugar duties. He was fully aware of the arguments which would be made use of on this subject by noble Earls opposite, but he would not weary the House by alluding to them further than to say that he did not think that they could make any alteration of the sugar duties at present, without producing such an effect on the public revenue as would be most impolitic. He said this without reference to the duty on sugar from our colonies, or on sugar the produce of foreign countries. He hoped that noble Lords would agree with him that they could not do everything at once, and more particularly in dealing with such a matter as the present at a period when they had no surplus revenue. Although circumstances at present rendered it necessary to revise the tariff, he thought, in the first instance, that it would be more wise and prudent for the Government to confine their attention to the great mass of the smaller articles in the tariff to which he had before referred, as well as the larger article of timber, than to apply themselves exclusively to other articles on which the duty was high, and with

respect to which no doubt a reduction of duty was desirable when it could be effected. At present, however, he feared that could not be done with any regard to the safety of the revenue. He alluded to such articles as sugar, tea, tobacco, foreign spirits, although other considerations applied to that article as well as to foreign wines. All these articles produced a large sum to the revenue, and however desirable it might appear to deal with them, he was satisfied that it was for the interest of commerce as well as for the interest of the consumer, that they should at present extend any reduction of duty which they could afford to the great mass of articles. He believed that there were about 1,100 articles on which customs' duty was levied, and on a very large portion of them the amount of duty received was small, and could be reduced without any great risk to the revenue. He thought, therefore, that it would be better to take 700 or 800 articles, and deal with them so as to afford to commerce a very great boon; and although he did not pretend to estimate to what extent the reduction would be beneficial to the consumers, he might say that the revision of the tariff would prove generally beneficial to all classes. He had now shown that this measure would, on the one hand, promote the interests of the consumer, and on the other our commercial interests; and, at the same time, these desirable results would be produced without injury to the revenue. He knew that he might be told by some that he did not go far enough, and by others that he went much too far. He had been told this by several deputations which had waited on him during the progress of the measure through the other House; and after he had heard what they had to say, the result generally was, that he was satisfied that the course taken by the Government was the best. They had done enough in the essential articles with respect to which they proposed a change, and they had not done too much as regarded other articles. This, he was bound to say, was the effect produced on his mind since the time when the propositions were laid before Parliament, and since he had had an opportunity of communicating with all the parties interested. Persons connected with the production of several important articles on which it was proposed to lower the duty, and into the manufacture of

which labour largely entered, had stated to him that they found on reflection, that the objections which they had formerly made against the reduction of duty were unfounded, and that the reasons which he gave at the time ought to have convinced them at once. This had been peculiarly the case with respect to articles of small bulk which could be easily smuggled. One person in particular who had strongly objected to the reduction of the article in the production of which he was interested had recently waited on him and frankly told him that he had been in France and had carefully looked into the matter, and that he had come to him, not as he did formerly to object to the proposition, but to tell him that he thought that it would not prove injurious, and that at the same time, the reduction of duty would have the effect of putting an end to smuggling. He believed that he had said as much as was necessary to explain the general outline of the principles on which the bill was founded; and all that he would further say was, that if it produced the effects which he expected—namely, the extension of our commerce, and relief to our suffering industry, without doing harm to any other interest—he should feel amply repaid for any trouble which the preparation of the measure might have given him. At the same time, when he said this, he knew that he was not entitled to take any credit for this, as it was only the performance of his duty. He had said enough, he thought, to satisfy the House that the measures which the Government had brought forward was one which he should be justified in calling upon their Lordships to read a second time.

Earl Stanhope would endeavour to imitate his noble Friend who had avoided details of figures, and should bear in mind the advice of the late Marquess of Lansdowne, "I advise you, when you make a speech on finance, to avoid all mention of figures." He was aware that a superabundance of details was calculated to embarrass a subject. He should state some of the great reasons why their Lordships ought to reject this bill; but, though he meant to confine himself to these limits, he thought it necessary to refer in detail to one argument of his noble Friend as a specimen and type of the others. On the subject of cattle the noble Earl had expressed a confident expectation, in



which he would be disappointed, that he had convinced him by his arguments, though he might expect, and this expectation would be realized, to defeat him by a majority. As Milton said of kings, the noble Earl was "weak in argument, but strong in legions." He was surprised that the Minister of the Crown who originally proposed this measure should take for comparison the year 1835 as his model, when the average price of wheat was 39s., and the prices of cattle were proportionally reduced. If those prices had continued, public and private credit would have been at an end, and a general bankruptcy would have ensued. That Minister should have commenced his researches a little earlier, and gone back to 1825, when the extraordinary prosperity prevailed in all parts of the country which was referred to in the Speech from the Throne, which stated that content pervaded all classes of the community. Now, however, all classes were equally discontented. But that Minister could not have referred to 1825 without a most painful reflection, he must have recollected that though there was extraordinary prosperity at the commencement of that year, before its close it was destroyed by a measure which bore his own name, being called "Peel's Bill." In that year the average price of beef in Smithfield and Leadenhall markets was 4s. 7d.; it was now 3s. 6d. Salt beef and salt pork, in 1825, were 7l. 19s. per tierce; in 1841 they were 7l. 3s. 5d. He was aware that the price of meat might be affected by peculiar causes, as the mortality of cattle; but there was nothing to indicate a deficiency of supply, and from Ireland more came than ever; and yet they had been told that was a sufficient reason for abolishing the prohibition; and the noble Earl had talked of the undue share of advantage which fell to the growers of corn and the breeders of cattle. He wished the noble Earl would argue this point with the head of the Government, who, on the 16th of May said—

"There is no description of property reduced in so great a degree as the profit derived from the feeding of lean cattle. I admit that the traffic in lean cattle is carried on with great advantage from certain parts of Ireland and Scotland."

If such was the case, he asked how could the duty be reduced without injustice? A reduction of 1d. per lb. on

meat was a reduction of 33 per cent. of the profits. The noble Earl advanced another reason — that the reduction was necessary to provide for an increased population. This was not an original argument it was one of the great reasons urged for a repeal of the Corn-laws, and seemed to have been taken from one of the Anti-Corn-law circulars, or some speech of the Anti-Corn-law League. The noble Earl had referred to a report—it was not what the Chinese called "A clear and perspicuous report." He could not believe that the price of oxen of 6 cwt. at Kiel was 7l., and 6½ at Hamburg 12l., when so large a profit could be made by driving cattle such an inconsiderable distance. Then the price of beef at Bremen is stated to be from 1l. 6s. 8d. to 8l. 4s. per 100 lb., which was 1s. 7½d. per lb. He denied that this could be correct, unless Bremen was in a state of siege or blockade. It was no doubt a mistake. Oxen that had been driven 100 miles could be sold in Hamburg (at 4d. per pound) at a profit of 2l. 13s. per ox. Sheep driven the same distance could be sold (at 4½d. per pound), at a profit of 9s. 6d. per sheep; and hogs driven eighty miles could be sold (at 4d. per pound) at a profit of 11s. per hog. At the same time the price of oil cake was in Denmark but 6l. 6s. per ton, while in England it was 10l. 10s. per ton. In England barley was 30s. per quarter, in Denmark it was only one-half that sum. In 1828, when beef sold in France at 5d. the pound, 67,000 head of cattle were imported there, the duty, freight, and expenses being less than 1½d. per pound upon oxen. The duty on an ox in France was 2l., besides municipal dues of 1l. more. In Holland the duty was 1l. 3s. 4d. If they turned to America they found that at Cincinnati, on the Ohio, salted pork was sold at from ½d. to 1½d. per pound, and the circular of Messrs. Lizardi stated, that pork of a better quality than that usually sold in England cost in New Orleans not more than ¼d. the pound; and such was the advantage now enjoyed by that country in rearing cattle, that while in 1840 the quantity of salted beef imported from America was 7,700 cwt., it had increased in 1841 to 22,429 cwt., or more than thrice the amount. The exports from New Orleans were tripled in two years, and he had no doubt, that if the tariff be-

came law, not only would our markets be victualled from America, but our navy also. The right hon. Baronet at the head of the Government stated, on the 23rd of May, 1842, that he wished the tariff would reduce the price of meat, because he considered it was now too high. Yet the whole scope of the right hon. Baronet's argument went to show, that there would really be no reduction at all. He wished the right hon. Gentleman would make up his mind which argument he meant to stand by, and not thus endeavour to sit down upon two stools. If he did, he might find himself in the same position that many other persons had been in who had attempted the same feat. The two arguments neutralised each other, for if the price of meat was not to be reduced by the tariff, then of what benefit would the tariff be to the consumer; while, if the price was to be reduced, what was to become of the producer? But the right hon. Baronet really had a most remarkable talent for exhibiting facts in such a light that one-half of his audience believed them to be black, and the other believed them to be white. This was exactly what the right hon. Baronet had done with regard to the Corn-laws, and now he was doing the same with respect to the importation of cattle. Compared with such feats the sleight-of-hand proceedings of the German juggler were quite insignificant. He might say of the tariff what Pitt said of Bonaparte—that nothing was too vast for the temerity of his ambition, nor was anything too small or insignificant for the grasp of his rapacity. He might say the same of this tariff—nothing was too important not to be included, nothing so insignificant as to be safe from being meddled with. With the permission of the House he would proceed to state his objections to a few of the articles. First, with regard to onions. It appeared that onions might be imported from Holland at 1s. 6d. per bushel, including freight and other charges, which, with the proposed duty of 6d., would make 2s. the price at which they could be imported here from abroad. Now, the remunerating price in England was not less than 3s. 6d. a bushel. There were no less than 2,300 acres of ground employed in the cultivation of onion and other garden seeds. The production of those seeds required five times as many labourers as were required for land used for ge-

neral agricultural purposes, at an expense of about 40l. per acre. The price of the seed did not affect that of the crop, a very small proportion only being used—about 10lb. per acre. It appeared that onion seed could be imported at 1s. 9d. per pound, exclusive of the duty, which would amount to no more than about  $\frac{1}{2}$ d. per pound. The remunerating price in England, however, according to the average of the last eighteen years, was 3s. 2d. per pound. Was it possible for the honest industrious producer of this country to compete with the foreigner under such disadvantageous circumstances as these? The next article to which he would call their Lordships' attention was that comprising ores of various kinds. Whatever arguments might be used in favour of the reduction of the duty on copper ore, there was no ground for such reduction on manufactures of copper. It appeared that the importation of copper ore from Chili and Cuba was, in 1832, 45,000 cwt. In 1841 it had increased to 974,000 cwt. Reflecting that 40,000 persons in Cornwall depended upon the copper trade, he could not see why there should be any further reduction of the existing duty, which had not stopped the increase of the importation of ore. The stoppage of the Cornish mines would cause a loss of 1,000,000 of revenue annually, and the same amount was annually now employed in payment of the wages of labour. He next came to the article of oil, and here he must beg to call the attention of their Lordships to the very serious consequences which these proposed reductions of duty would have upon the whale fisheries—a branch of trade that had given so much support to our marine. Let the House look at the disproportion between the amount of duty hitherto received upon British as compared with foreign oils. In 1840 the amount of duty received upon train oil, spermaceti, and blubber, the produce of British fishing, was 1,220l. The amount received for duty on the same articles, the produce of foreign fishing, was 15,711l.;—and yet the duty on foreign train and blubber was to be reduced from 26l. 12s. to 6l., and on spermaceti to 15l. The reductions proposed upon drugs were so trifling in their nature, that while they would produce a loss to the revenue, no part of the benefit would go to the people, but all to the traders. The Apothecaries' Company ought to illuminate their hall, and

to make the right hon. Baronet at the head of the Government an honorary member of their company, in return for this tariff. With regard to the reductions of the duties on timber, he really must say, that the poor would not be benefitted by them; and to argue that they would benefit the people generally because housebuilding would be cheaper, was absurd. The reduction would not amount to more than  $1\frac{1}{2}$  per cent., not on the timber used, but on the cost of the whole building. Yet for so unimportant a benefit we were to sacrifice not less than 800,000*l.* a-year. The protection was reduced 19*s.* 10*d.* on timber, and 1*l.* 13*s.* 6*d.* upon deals. Now, he thought it very desirable for their Lordships to bear in mind that the noble Earl opposite, who was for some time at the head of the Exchequer (Earl Spencer), had in 1831 been of opinion, that a reduction of 15*s.* would transfer to the north of Europe one-half of the colonial trade in this article. What would be the effect of this? The real value of our exports of British productions in 1839 to the North American colonies was 3,047,671*l.*, the real value of our exports to Sweden, Norway, Denmark, and Prussia, in the same year, was 554,032*l.* In 1840, there were entered inwards from the North American colonies, 2,416 ships, of 808,222 tons burden; from Sweden, Norway, Denmark, and Prussia, 920 ships, of 134,135 tons burden. While he was on this subject, he could not forget that other countries had recently increased their protective duties very considerably; such had been the course of America; such had been the course of France, and most wisely had France done so in his opinion, for that course was calculated to find employment and subsistence for their own population; and he would tell his noble Friend (the Earl of Ripon) that the Government which ceased to discharge that duty stood not on a rock, but on the sand, speedily to be swept away by the winds. He now came to one of the most important heads—that of manufactured articles; he should not fatigue the House with going into particulars; but he was prepared to prove, upon testimony, that the reductions proposed, would be injurious in all cases. It was with great pain he found that, notwithstanding all the evils which had been heaped upon the suffering population of *this country* by the introduction of the

pernicious doctrines of free-trade, his noble Friend (the Earl of Ripon) and the Government still persisted in carrying those doctrines into operation. Could there be any doubt, that great sufferings would be caused by these reductions? Was it not known how severely the reductions in the article of leather—for instance, in shoes and gloves—would press on the classes engaged in the production of those commodities? Then, as to articles of luxury, take the instance of watches by way of illustration. He had been shown a foreign watch, which could be sold in this country, after paying the reduced duty, at 8*l.*, but which could not be manufactured here under 25*l.* It had been said, that the reductions in the tariff were made with a view to alleviate the burdens on the poor, but he wished to know, whether it was from any paternal solicitude for the poor that this, and so many other reductions were made in the duties on articles of luxury? Was this intended to relieve the manufacturing classes, and extend the commerce of the country? He denied, that any advantage whatever would accrue from the tariff to the labouring classes, to whom it was the primary duty of the Government to afford relief. Into the question of free-trade generally, he should not then enter, but he might say, as the noble Viscount opposite (Viscount Melbourne) had once said, that he considered free-trade to be strongly opposed to the habits, feelings, and opinions of the people of this country; nevertheless, from some expressions that had fallen from his noble Friend (the Earl of Ripon), he was greatly afraid, that this tariff was intended as one stride toward the establishment of a completely free-trade, and he must say, that if this was only a stepping-stone in the march, he thought the country was not treated fairly. If they were to have free-trade, let it be offered at once, and then he well knew how manfully and how successfully it would be resisted by the people of this country. Let the offer be once fairly made, and their Lordships would never again hear of free-trade, so odious would its name become throughout the empire. With respect to the measure generally, he wished to hear from his noble Friend that he would give them (to use the language of the present head of the Government) “a frank and explicit” explanation of it, for that, he must say, he had not yet been able to get in any one

quarter. He wanted to know, whether a large or small importation of foreign commodities was expected? If a small one, then no benefit to the revenue could arise from the measure; if a large one, then what, he asked, would be the effect to the consumer? This had never yet been explained. In another place, not far from the spot where he stood, such was the complaisance—he used no harsh language, he did not say, such was the base servility, of the members of that assembly, that they seemed content to let the whole pass without explanation, and to put unbounded reliance on the *ipse dixit* of a Minister, whom they appeared to consider as infallible. But they did not represent the labouring classes in that assembly; it neither reflected the opinions of those classes, nor regarded their wishes, nor expressed their complaints. He would ask their Lordships, then, whether they considered that any Government had a right thus to condemn to destitution whole classes of their fellow-citizens without giving them any means of defence for themselves, and without any previous inquiry; for it was remarkable, that no public investigation had preceded this measure; it came forth like a thief in the dark. It had not been announced at the late election, and even when it was produced, it had not been received very kindly by the usual supporters of those who brought it forward. It would be the destruction of the political power of its author, to which, however, he attached but little importance; but it would, he thought, if it went to establish free-trade, effect what he could not contemplate without emotion—the total destruction of the country which had the misfortune to be governed by him. From information which he had received, not from a Chartist nor from a member of the Anti-Corn-law League, though he had no aversion to communicate with either of those parties, but from an old Tory, well acquainted with the counties of York and Lancaster—he was convinced, that the country regarded the measure with apathy, from a conviction, that a great change was at hand. He had no doubt about that. His noble Friend had said that there had not been many petitions presented against the measure, but he ought not to forget the numerous renunciations and remonstrances which had been addressed, not to Parliament, but to the Government itself.

They could not avert the natural consequences of their measures; if the consequences were to produce distress, the next result was discontent. It would be a lamentable delusion, if his noble Friend were to suppose that the new tariff was popular in this country. He knew that addresses of thanks had been sent to the Prime Minister for this measure, by bodies that were not immediately affected by it. On the same authority he had just named he had been assured that the tariff was popular in Yorkshire and Lancashire, merely because the people in those counties were thoroughly convinced that it would disorganize and revolutionize the country, and produce a total change and new distribution of political power. It was important to learn the opinions of those who professed to lead opinion, and the opinions given by Mr. Feargus O'Connor on the tariff were these:—

“In fact, if I were asked to frame a bill for the complete and entire dissolution of society, as at present constituted—agricultural, manufacturing, and so on,—I should say make not one single alteration in the budget of the right hon. Baronet.”

And he added afterwards that which experience would, unfortunately, prove to be too true:—

“That every injured and disappointed man will be thrown into the ranks of the Chartists.”

What had been the effect of the great innovation in the silk trade in 1825—he spoke of the numerous class of operatives engaged in that trade, forming, as a whole with the other labourers of the country, the most numerous and meritorious class of all others, and the most important and valuable to this country? The effect was, that their wages were reduced in consequence 50 per cent., and had never since risen to their former standard. In the difficulties and dangers which beset this country, and which it was impossible to represent in colours too dark and gloomy, he would earnestly entreat their Lordships not to pass a measure which would infallibly increase those evils. Let them beware how they added to the distress of the great mass of the people till they reduced them to that condition where every man, in the language of the great dramatist, would be ready

—“To risk his life on either stake,  
“To mend it or to mar it.”

He maintained that long-continued dia-  
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tress, which could be traced to the acts of the Legislature, was of itself a reason for demanding a change of Government, and that it afforded an unanswerable argument for a further change in the Constitution of the country. If the present distress of the country were allowed to continue, and to be still further aggravated, and that would infallibly be the case if this injurious measure were passed, there would be but one cry throughout the whole length and breadth of the land, which they would find it impossible to resist. He entreated their Lordships to weigh well the dangers to arise from the natural effect of the measure now proposed, and before they consented to sacrifice the interests of any class, still less the interests of the working classes of their fellow-citizens, to reject the measure till they had instituted an inquiry—a fair, impartial, full, and efficient inquiry—as to whether all or any of these changes could be carried into effect with justice or with safety. Convinced that if they passed this measure they would accelerate to railroad rapidity the progress of revolution, and aggravate the distress, till at last they would contemplate with awe and alarm the perils which existed, he moved that the word “now” be omitted in the motion of his noble Friend, for the purpose of inserting the words “this day six months.” He should consider it his duty, however small a number of votes he might have to support him, to take the sense of the House, and to enter a protest against this measure.

The Duke of *Richmond* certainly did not agree in the last observation of his noble Friend, but as he intended to vote for the amendment, he would say a few words. It appeared to him, that the protection, on the faith of which so much capital had been invested in agriculture, should not be suddenly withdrawn. It seemed to him, also, that great changes would be made by this measure, of which no one could see the consequences, and such as ought not to have been lightly brought forward. It was not his intention to go into the various articles in the tariff, but as he had been directly alluded to by his noble Friend who brought forward this tariff, in the able and eloquent manner in which he always spoke, he felt called upon to offer a few remarks. He was sure, that if his noble Friend had had a better case, he would have been able to have brought forward stronger arguments. His whole

speech was, that the farmers ought not to be afraid; he told them that cattle could only be obtained in Denmark, or Holstein, and in Holland; and if that were the case, he would ask his noble Friend, whether it was wise to propose such an alteration, whether it was wise to create an alarm throughout the whole country, whether it was wise and expedient, when the price of meat could not be much diminished, to hold out hopes to the consumers which would not be found to be true? He would ask their Lordships, also, whether his noble Friend had shown any one reason—and he did not object to an importation of cattle—had his noble Friend shown any reason why the duty should not be taken by weight? His noble Friend said, that he wished to improve the breed; he did not believe, that there could be much improvement from that source, but if his noble Friend wished to be of service to the agriculturists of England, he would have taken off the duty from lean stock, and would have reserved it upon fat; he would not have given an additional advantage to the foreigners, who were unfortunately able to fatten cattle much cheaper than ourselves. His noble Friend had said that the quantity of cattle had decreased in France; it had so decreased because the subdivision of land in that country was so great that they could not breed the same quantity of cattle. He objected also to the present bill, because, when he saw the measure supported elsewhere by those who had hoisted the flag of free-trade, and by those who boasted of being the enemies of the agricultural interest, he must look upon it with great suspicion, and could not agree to take such a large step in advance of free-trade. He thought that the farmers of this country, taxed as they were, could not compete with the foreign farmers. He looked upon this as a stepping-stone to further changes, and if the measure of his noble Friend were carried, and he should next year oppose what would be its inevitable consequence, his noble Friend would say, “why did you not oppose the original measure when we made it clear what its results would be?” The English farmer was taxed to a larger amount than the farmer in other countries. Not only was he subjected to public and local taxation, but the Legislature had taken care that his barley should not be made into malt, without paying a high duty; he was prevented also from fattening his cattle by steeping

his barley, a process which enabled the foreign farmer to fatten his cattle at a much cheaper rate. Moreover, the foreign farmer only employed as many men as he thought fit, whilst the English farmer, if he did not employ the labourers, was obliged to pay for their livelihood by the Poor-law. So long as they put these charges upon the English farmers, it was impossible that they could compete with the foreigners. He was one of those who thought that this measure would be of little or no use to the consumer and the people of this country if his noble and learned Friend were right, and he objected to an alteration by which the farmers might gain upon one article, but might lose upon all the others. And this tariff, with one exception, was of no advantage to the farmers. Except only the lowering of the duty on a new manure which the farmers were anxious to introduce, every alteration was against them. He would certainly vote for the amendment of his noble Friend, although if his noble Friend had taken his advice he would not have divided the House. His advice would have been that the five, six, or seven who thought with him should have got up and attacked the measure, and not have shown their weakness by dividing. If the measure had been brought forward last year, he should have had much more confidence in being able to throw it out. As he was not able to do this, he thought that he ought not to say one word to alarm the farmers of this country. Seeing that the measure could not be prevented, he was not one of those who would throw any difficulty in the way of the Government by exciting, if he had the power to excite, the intelligent body of practical farmers. He sincerely hoped that his anticipations as to this bill would prove to be incorrect, and if they did, he would be the first person readily to admit them; and he repeated his advice to the farmers to try, by increased knowledge and by increased skill, if that were possible, to make their way in spite of this measure; and he trusted that the present bill would not be found to be a step towards getting rid of that protection, without which, in his opinion, the agricultural interest would be destroyed; and he was sure that his noble Friend would agree with him in thinking that on the prosperity of the agricultural interest rested the welfare and prosperity of every other interest in this country.

The Marquess of *Clanricarde* wished to say a few words on the vote he was about to give in support of the present measure. He unfortunately differed from the noble Earl opposite (Earl Stanhope), not only in the conclusions to which he came, but also in the reasons he had assigned, although he agreed in many of his incidental remarks. He thought that his noble Friend who opened the subject (the Earl of Ripon) had made it as clear as a person could conceive any one of as great eloquence and ability as his noble Friend could make it, that little or no good would be effected by this measure in lowering the price of food in this country. His noble Friend had showed clearly that the price of meat would not be decreased in this country by the present bill, and that it would be perfectly futile and vain for the artisan or workman to expect any relief. Still he gathered from his noble Friend's speech the consolation that this bill was only a step towards a further and more important change, and upon that ground he gave it his hearty support. There was one phrase which fell from his noble Friend who opened the debate, in which he particularly rejoiced. His noble Friend said that he could not do everything at once. He thought this was the only excuse his noble Friend could offer for the government doing so little as they had done in that direction. He did not wish to go into the details of the articles in the schedules, but at the same time he must advert to one or two remarks of his noble Friend. His noble Friend had said that the great principle of this bill was to reduce the duty upon the raw material and on articles of manufacture. He must say that the manner in which that principle was carried out was very different from what his noble Friend stated. He thought that if it were possible for any persons under compulsion to bring forward a measure of free-trade in this country, who themselves had a dislike to free-trade, and to make it, if not impossible, at least very difficult to advance the principles of free-trade, they could not have done it in a manner to make the principle more distasteful to the middle classes of this country than in the bill of his noble Friend. His noble Friend had said that the Government had thought it better to apply themselves to a great number of small articles without attacking the great articles, such as sugar, tea, and tobacco. Therefore the only great article taken was

timber, and the only reason why that was selected was said to give relief to the shipping interest, although he still thought that the selection was made more with reference to the Income-tax than anything else. This tariff would, however, place the artisans of this country under a great disadvantage, although a later following out of the same principle which must come, which was the necessary consequence, would put them in a better position. By this tariff the Government said to the makers of gloves, to the shoemakers, and to others, that they must compete with the foreigners on the principle of free-trade, and that they were giving a corresponding advantage in the value of the raw material. The bill did no such thing. What was the raw material from which the artisan and workman would receive the greatest benefit? The necessities of life. He would not then enter upon the questions of corn and of sugar, but it would be impossible to speak of the great principle and put those questions entirely out of view. On another great article of raw material a large duty was still maintained—he meant tallow. Tallow entered into almost every trade—every manufacture was affected by it—to say nothing of its being one of the necessities of life with the artisan. He found that the duty on tallow under the new tariff was very excessive. His noble Friend said, that 5 per cent. was to be the average duty on the raw material, but the duty on tallow was 8 or 10 per cent., and he could not conceive why it had not been reduced. He mentioned that not only because the reduction would be of great advantage to the manufacturers of this country, but because it also indicated the neglect of what was professed by those who prepared the tariff. [The Earl of Ripon: The duty on tallow is only 6 per cent.] That was an article on which a reduction was more desirable, because it was an article that would encourage the shipping interest. He would mention another article, that it might not be said he confined himself to sugar and to corn. It was monstrous to say that the workmen of this country would get compensation by the reduction of duties on the raw material for the protection which this bill would take away. He would allude to the duty on cocoa. The Government had taken great credit to itself for the reduction of the duty upon coffee; but if they compared the nutritive qualities of coffee and of cocoa they would

find that the cocoa had the preference, and the mass of suffering and misery was so great, that everything they could do to lower the price of articles of nutriment would be most beneficial. He was not now going into the corn question, although his noble Friend admitted, that his own speech would be taken as an excellent speech against the Corn-laws, but he must remark, that in the year 1841, between the 29th of April and the 4th of June, there were entered for home consumption 108,090 quarters of foreign corn, which paid a duty of 23s. 8d.; whilst this year, during the same time, there were entered for home consumption 92,357 quarters, paying a duty only of 13s. or 12s. Their Lordships would see by this, that there was now a positive diminution in the consumption of corn in this country. The quantities entered did not show that the people did not consume the same quantity, but if they looked at the duty paid, that would tell the price of corn; and if the duty was highest when the largest quantity was introduced, it was positive evidence that the people had at that time the greatest power of consumption. He said then that the Government ought to have attacked such articles as cocoa, coffee, and others not included in the tariff. [The Earl of Ripon: The duty on coffee has been reduced.] The duty at present was 6d. a lb. on foreign coffee, and 2d. a lb. on coffee the produce of British possessions. The coffee of foreign countries was therefore prohibited. This duty, which was not only protective, but prohibitive, was only as three to one. The new tariff made the proportion four to one. Indeed, the tariff maintained throughout the whole system of differential duties, and it departed from the principle laid down by his noble Friend, and enacted and created differential duties which did not now exist. That was at variance with his noble Friend's speech, and that was contrary to all sound principle, because where there were protective duties, although it would be unjust to do away with them at once, yet they ought to get rid of them gradually, and not enact any new ones. He objected to the tariff that it had not made a greater progress in that direction. He would vote for the bill, not because he was at all satisfied with the new tariff on its own merits, but on account of the principles on which it was founded, and more particularly on account of the profession of those principles by those who propounded them. He saw that those principles must

be carried out; it was impossible for her Majesty's Ministers, or for those who supported them, to recede from these principles, or to stop in the course on which they had entered. How far he ought to thank them, how far they had freely taken up this important measure did not appear; but when he looked back, and saw how his noble Friends near him had been opposed by noble Lords opposite, in their measures of reform, he could not but think that the adoption of the principle of the present bill was due much more to the Liberal party than to the noble Lord and his Colleagues. This reminded him of another observation: he meant the allusion to the import duty committee. He had heard with pain last year a noble Lord, a great authority on the other side of the House, now usefully employed elsewhere (Lord Ashburton), refer to the report, and especially to the evidence of that committee, in terms of great disrespect; he had called it inconsistent, fantastical, and mischievous, with other epithets of the like kind—certainly not one word had the noble Lord in its favour; and this was before the last election. He did not mean to contend that the present Government was at all bound by the opinions of its friends and adherents; but considering the way in which the opinions of the noble Lord to whom he referred were received at the time he stated them, he was not less surprised than delighted with the very different estimate the noble Earl seemed to-night to have formed of the report of the import duty committee. Upon that point he need not say more, and he would only add that he should vote for the bill on the Table in the fullest confidence that Ministers would proceed in the course they had commenced. He also relied upon the Parliament, notwithstanding it had been said, that it was composed of the landed interest, that its own good sense would lead it to support the present Government in its laudable undertakings of this kind, in order that the reform of our commercial system now begun might be satisfactorily completed. Even next year he hoped to see Ministers proposing a revision of the sugar duties, and not long afterwards he was persuaded must come an alteration of the Corn-laws. In this persuasion he should give his sincere and hearty support to the alterations in the tariff.

The Earl of *Mountcashell* expressed his regret that noble Lords on that (the Ministerial) side of the House now adopted

measures which they had formerly opposed. If the sentiments of other parties had undergone a change, he could assure noble Lords that his opinions were unaltered. He was not surprised to hear the noble Marquess who had just addressed their Lordships express his intention to support this tariff, for the measure was founded on those principles which were advocated by noble Lords opposite. He begged to call their Lordships attention to the effect which this tariff would have with regard to the article of timber. He considered that it was the duty of the mother country to support her colonies with the same care and solicitude with which a mother sustained her children. That principle ought, he conceived, always to be acted upon; there should never be any deviation from it. In the present case, however, that principle had not been followed. The duties on timber had been reduced, but so great an advantage was given to the Baltic timber that the timber trade between this country and the Canadas and New Brunswick would suffer extensively. He had recently heard accounts from our North American colonies which represented affairs as wearing a most unpromising aspect; and he was informed that it was probable, if this measure came into operation, that serious business derangements would ensue. Under the system which now existed with regard to the timber trade we paid for a great quantity of timber by our manufactures; but under the operation of this measure we should have to pay for Baltic timber in money, instead of an outlet being opened for the sale of our manufactured goods. A large portion of our mercantile navy was now employed in the timber trade, but the effect of this measure would be to diminish to a considerable extent the employment of those ships, and to throw out of work the seamen by whom they were manned. His opinion was, that this measure would eventually result in the loss of our colonies. The tariff would also produce a serious effect with respect to the trade in cattle and pigs. At the present moment, in Ireland, the poorer classes were in a great measure dependent on the sale of their pigs for enabling them to pay their rent. The tariff, however, would deprive the poor of this benefit; for the import from abroad of cattle, pigs, and salted meat, would injure the sale of the home producer. He was sorry that the measure had ever been propounded, for he



believed in the result it would be most mischievous.

Lord *Monteagle* felt a difficulty in voting on the measure, owing to the approbation which he gave to its principle, while he objected to many of the details of the tariff. He should vote in favour of the bill; but if ever there was a speech which showed how utterly worthless were the details of it, it was the speech of the noble Earl who moved the second reading. With respect to cattle, he had exposed himself to an unanswerable reply by the noble Duke (the Duke of Richmond) when he had asked, if so little were to be done, why had the subject been touched? Although the advantages to the consumer were small, still the principle involved in the measure recommended it to him; but did it recommend it to the noble Earl? [The Earl of *Ripon*: Yes.] He was very glad to hear it; because, approving that principle, the noble Earl must be prepared to go much further. The noble Earl had talked as if the confusion, irregularity, and inconvenience of our commercial tariff was to be traced to the state of the existing laws, which had gradually deviated from the original purpose for which they were adopted; but what was that original purpose? The raising of a revenue. And for three-fourths of the speech of the noble Earl, the word protection, as applied to customs' duties, had never escaped his lips. Every tax was, *pro tanto*, an evil; it was only justified by the wants of the State, and it ought to be imposed with as little injury as possible to the subject. If such were the principle upon which the tariff had been prepared, nobody would give it a more hearty support than himself. He was doubtful, however, how far the tariff embodied the principle, and embodied it satisfactorily. He apprehended, that out of doors, considerable disappointment would be felt as regarded the assurance that the reduction in price of various articles in the tariff, would be a full equivalent for the Income-tax. *Sterne* had said, that the sight of a single captive was more impressive than the description of a hundred. He would take, therefore, a single example as a specimen of many cases, and he would ask whether a man of 5,000*l.* a-year, who paid 150*l.* to the Income-tax, would be benefitted to that extent by the remission of duties in the tariff? The total gain to the consumer under the tariff was only about 1,200,000*l.*, while the Income-

tax was to raise the sum of 3,700,000*l.* This statement of itself was an answer to the assertion as to benefit to the consumer. He feared that disappointment as to the result would lead many persons to believe that the fault was in the principle, rather than in its application. Thus the sound and valuable principle itself might be unfairly injured in public estimation. The duty upon timber was the only great duty touched at all by the tariff, and he must say that it had not been touched wisely. Upon this point he did not take the same view as the noble Earl who spoke last. His opinions were, in fact, directly opposite, for the duty on Canadian timber was reduced to almost nothing, and he could not understand the ground of the noble Earl's objection, unless he meant to argue, that a heavy duty ought to be put upon the good timber of the Baltic, for the sake of compelling the consumer to use the bad timber of the Canadas. That certainly was not a statesmanlike mode of protecting colonial interests, for no colonial system could be depended upon, as regarded continuance, in which the interests of the mother country as well as of the colony were not consulted. The noble Earl who opened the measure had expressed a strong feeling in favour of other great interests, but nothing for their advantage was found in the tariff, and the parties concerned, would much rather have the assistance than the sympathy of the noble Earl. In the timber duties, Ministers were actually giving away the whole amount of the revenue; yet the trade had been an increasing and not a declining one. It had yielded a revenue—

In 1838, of .. ..	£346,000
In 1839, of .. ..	367,000
In 1840, of .. ..	459,000
In 1841, of .. ..	465,000

Hence it was evident, that it was a trade which did not, like many others, require relief; for even during four years of great pressure, the duty upon timber had gone on increasing. It was one thing to make a reduction of duty, and another to give away the whole amount of revenue. He was glad to be able now to quote the report of the import duty committee with the approbation of the other side of the House for even the noble Earl had applauded it. [The Earl of *Ripon*: I declined giving any opinion on the evidence of the witnesses.] If so, the report was nothing less than miraculous. The noble Earl declined giving any opinion on the evidence of the

witnesses, and yet made that report, founded upon the evidence of the witnesses, the very groundwork of his tariff. He had not hesitated to state, at the time, that he differed from some of the witnesses, because he thought they were carrying their doctrines to such an extravagant extent, that they were endangering their own principles; but he might refer to the testimony of the late Mr. Deacon Hume, as a man known to and respected by the noble Earl, as well as by himself. Mr. Hume stated, that by proper regulations, a good million (such was his expression) of revenue might be obtained, without raising the price of timber to the consumer. This resource was now absolutely and irretrievably lost, at a time, too, when so much and such grievous distress prevailed in the manufacturing districts. While Ministers were thus throwing away a very large amount of revenue, they gave not the smallest relief by reducing the duty on the raw material, of two of our greatest manufactures—wool and cotton. Was it wise to relinquish the large amount of duty on timber, when, by keeping it, such aid might have been afforded to our suffering manufacturers? The arguments which had been used in another place in favour of reducing the duty on wool, including the transference of orders from this country to France, might be urged in favour of a diminution of the duty upon cotton. Hundreds of thousands were at once thrown away by the proposed change in the duty on timber, where no relief was required; while no attempt was made to render the tariff acceptable in Yorkshire and Lancashire, where assistance was most essential. Allusion had already been made to what had passed elsewhere, and he was happy to be able to refer to the speeches of Ministers, with unqualified admiration. However he might object to the details of the tariff, there was no extent of applause to which any free-trader—any follower of Mr. Huskisson—would go, in which he would not accompany him, as far as related to what had been said by the present head of the Government. The principles of free-trade had been laid down upon the broadest basis, for it had been declared that it was the business of the nation to ascertain where it could buy cheapest and sell dearest. Such words were things, and the application of those words would hereafter be most assuredly called for. He would not advert to the corn question further than just to call

attention to the 40th clause, which especially excepted corn, grain, meal, flour, sugar, and molasses; and which were necessarily excepted, because the whole of the measure was in direct opposition and contrast to the law so recently passed excluding foreign grain. If one law were right, the other must necessarily be wrong. The question of sugar had been discussed on former occasions. The proposition as to sugar was very different from that as to timber; in the one case there would be a loss, and in the other a gain to the revenue. The noble Earl (the Earl of Ripon) intimated his dissent. Would he dissent when next year he introduced his sugar bill? The object of the Government proposal with regard to sugar was to add to the revenue, and he, for his part, could see no grounds upon which that principle should be acted upon with regard to sugar and be abandoned with regard to timber. It might be true, perhaps, that there was not in the tariff any direct protection, but there was that which was almost as bad, and which produced equally injurious results. Excessive discriminating duties—discriminating duties carried to the most excessive height—there was a great difference between the tariff as originally proposed and as it was now introduced to their Lordships; and these alterations had been made for the sake of giving discriminating duties in favour of the colonies. And yet this did not account for some of the alterations that had been introduced; for the duties upon some articles had been changed which were not produced at all in the colonies. In one schedule there had been no less than 138 articles amended, and heavy discriminating duties had been put upon eggs, and articles of that character and description. So far he could not but disapprove of the conduct which her Majesty's Ministers had adopted, but in other matters in which they had been attacked he entirely agreed with them. He did so with regard to the duties upon ores. Upon copper and tin it was especially desirable that the duty should be low for the interest of the English manufacturer. The high price had been very serious, and it cramped and fettered the industry of the country; and he rejoiced that the measure which a few years ago he had had the honour of introducing with regard to the Duchy-duties in Cornwall had considerably assisted the Government in their recent calculations upon metals. With regard to coals, he had expressed his most

serious objection to the duty which had been originally proposed. He felt assured that if that amount of duty had been persisted in, nothing less than the destruction of the trade must have followed. The amount of the duty had, however, been reduced, and yet he entertained serious doubts of the policy of imposing a duty upon the exportation of British coal. Upon whatever grounds it had been proposed or was defended, he entertained serious doubts of its policy; but he was sure that if it were done to fetter and impede foreign manufactures, it was most foolish, most impolitic, most unjust. That was not the way to place themselves on a favourable commercial footing with other nations. That was not the way to promulgate far and wide the grand principles of commercial wisdom. If they wished to accomplish these objects, they could only hope to do it by acting in exactly the opposite way. With regard to some articles—tobacco, and others—to which reference had been made, he agreed with the noble Earl and the Government in the propriety of the course which they had adopted. On the whole, he thought that there was too much discrimination in the present tariff—that there was a studied exclusion of those large articles which formed the principle trade of the country; and that there had been in the legislation of one year a measure, on the one hand, which opened competition to the English workmen—to the glover, to the hatter, to the cork-cutter, and many other trades—and at the same time a measure which, on the other hand, prevented the competition with regard to food. This was beginning at the wrong end. Mr. Deacon Hume had always said, “Begin your free-trade with corn.” He agreed in that opinion; for then if there were competition in the corn market with regard to the food of the people, no other trade would be entitled to complain if they were exposed to equal competition. He intended to vote in favour of the present bill. He thought it good as far as it went, and he hailed its introduction, not merely for the principles which were involved in it, but for the speeches from men holding the highest position in the country, by which it had been introduced.

Lord Colchester thought that he might vote for this bill without advocating the general principles of free-trade. The Customs' duties, as now existing, were an heterogeneous mass of duties, without order and

regularity; and he approved of the present bill as introducing consistency and uniformity into a tariff which, at present, was utterly deficient in those qualities, and not because protection was upon principle diminished in that tariff. Differing from the noble Baron opposite, he approved most of the discriminating portions of the bill. He looked upon the colonies as integral parts of the empire, and thought them entitled to a fair protection. With regard to the duty upon the exportation of coals, he approved of the proposal of her Majesty's Government.

The Earl of Ripon, in reply, said, although his noble Friend (Lord Monteagle) gave his support to the bill, he thought his noble Friend did not support it with a very good grace. His noble Friend found as much fault with the construction of the bill as the noble Earl beside him (Earl of Mountcashel), although certainly for different reasons, and picked as many holes in it as his ingenuity permitted. He thought, however, his noble Friend had fallen into many errors respecting it, and particularly in his observations with respect to timber. He thought his noble Friend had forgotten to refer to the actual condition of the timber trade. If there were any branch of our import duties which required revision on account of the peculiar absurdities of their present state it was the timber duties. The duty on manufactured wood, instead of being higher than that upon the raw material, was in almost every case considerably lower. In fact, from the beginning to the end, the timber duties were an anomaly and incongruity to which, if called on to revise the tariff, he for one could not consent, and he felt confident if he could permit them to remain he should find no more vigorous opponent than his noble Friend. To remedy this incongruity, it was necessary to reduce the duty upon timber so as to bring it into fair relation with the duty upon deals. This was what was done, for although the duty upon deals was also reduced somewhat, the duty upon timber was brought into fair relation to it. Having done that, it was quite obvious that unless they meant to abandon altogether the principle of protection to the colonies, they must reduce the duty on colonial timber below the rate it bore at present, and that duty being 10s., they had certainly thought it advisable to reduce it to the nominal duty of 1s. His noble

Friend had insisted that colonial timber was worth nothing, but nine-tenths of the timber of New Brunswick, so far from being inferior, was more suitable for the purposes it was applied to than Baltic timber. He said, therefore, that in giving protection to colonial timber, they could not be said to be compelling the people of England by fiscal regulations to pay a great deal more for a bad article than they would for a good one. But he thought his noble Friend under-valued the reduction of the timber duties as a measure of general relief to the people. He was ever ready to admit the high authority of Mr. Deacon Hume, but Mr. Hume laid down the principle that if ever there were a duty it was impolitic to impose in a manufacturing country, it was the duty upon timber, and he urged the policy of reducing it to the greatest possible extent. He was quite willing to admit that originally the Government had thought the colonies required greater protection than it was ever proposed to give them, and he would admit moreover they were mistaken in that opinion, but he must say he could never so far overlook the interests of the colonies as not to give them the advantages he thought they were entitled to. He thought there were principles far above those of fiscal policy, which should guide them on this subject. The colonists were our fellow-subjects, and of common blood, and common interests with ourselves. Moreover, they suffered many disadvantages. They could not pass a tax bill which did not receive the Royal Assent, and there were many other disadvantages which entitled them to all the advantages we could bestow. It should be remembered, moreover, the trade between us and our colonies was the only free-trade we could carry on, because it was the only trade in which it was certain that what we gave to them they would give us in return.

Their Lordships divided on the question, that the word proposed to be left out stand part of the question :—Contents 59; Not-Contents 4: Majority 55.

#### *List of the CONTENTS.*

Lord Chancellor.	Ely
DUKES.	Clanricarde
Buccleugh	EARLS.
Wellington	Sandwich
MARQUESSSES.	Essex
Bute	Shaftesbury
Downshire	Moray

Home	Middleton
Haddington	Hawarden
Dalhousie	Canterbury
Orkney	Lowther
Aylesford	BISHOP.
Radnor	Lincoln
Spencer	LORDS.
Bathurst	De Ros
Clarendon	Camoy's
Beverley	Stafford
Liverpool	Colville
Clanwilliam	Kenyon
Longford	Bolton
Wicklow	Dunsany
Bandon	Redesdale
Rosslyn	Colchester
Brownlow	Ravensworth
Bradford	Forester
Falmouth	Bexley
Somers	Wharnccliffe
Stradbroke	Tenterden
Ripon	Stuart de Rothesay
	Hatherton
VISCOUNTS.	Wrottesley
Sydney	Stuart de Decies
Hood	Monteagle

#### *List of the NOT-CONTENTS.*

DUKES.	EARL.
Richmond	Stanhope
Buckingham	LORD.
	Beaumont

Bill read a second time.

House adjourned at a quarter-past ten.

#### *The following Protest against the Second Reading of the Bill was entered.*

##### DISSENTIENT—

1. Because the proposed reductions of protecting duties would be most injurious to many of the working classes in this country, and would depress their wages, or would deprive them of employment, by encouraging the importation of many foreign manufactures, which, from their cheapness, may be preferred to those that are produced at home.

2. Because the working classes have a right to demand such protection to their industry as may enable them to obtain employment at adequate wages, and cannot be deprived of such protection without the most flagrant injustice, without destroying their respect for the existing institutions of this country, and without endangering the security of property of every description.

3. Because a measure by which those who are employed in many branches of industry would be reduced to distress and destitution cannot be justified, although an increased importation of foreign manufactures should be accompanied by an increased exportation of some articles of British manufacture, which, like those of cotton and wool, are still protected by duties that it is not proposed to diminish.

4. Because an increased exportation of some articles of British manufactures could not

counterbalance the injury which would result from the proposed measure by the depression in the home market, which is by far the most important and the most extensive, as well as the most secure.

5. Because the proposed measure would encourage an increased importation of foreign goods, which, as experience has shown, is not always accompanied by a corresponding exportation of British manufactures, and in such cases there ensues a drain of bullion which contracts the circulation of the country, checks its industry and exertions, and might place in great embarrassment and danger the Bank of England.

6. Because some of the proposed reductions of duties would occasion a loss to the revenue without any advantage to the consumers by a diminution of the retail prices, and other reductions are made on articles of luxury which are purchased only by the richer classes of the community.

7. Because the proposed reductions of the duties on timber would secure an undue advantage to that which is brought from the Baltic, the freight from thence being much lower than from the British possessions in North America, and would therefore be very detrimental to the interests of those extensive and valuable colonies, which it is the duty of Parliament to protect.

8. Because the proposed measure, by allowing the importation of live stock, and by encouraging that of salted meat and of various articles of agricultural produce, might very much depress their prices in this country, discourage their production, and deprive those who are engaged in it of the profits, or of the employment which it has hitherto afforded.

9. Because the proposed measure would produce such distress as might at length become intolerable, and lead to a passive resistance to taxation, and such discontent as might burst asunder all the bonds by which society is now held together, and plunge this country in anarchy and revolution.

STANHOPE.

## HOUSE OF COMMONS,

Tuesday, July 5, 1842.

MINUTES.] **BILLS.** Public.—1°. Linen Manufactures (Ireland).

2°. Four Courts Marshalsea (Dublin). Reported.—Right of Voting (Dublin University); Charitable Pawn Offices (Ireland).

3°. and passed:—Mines and Collieries.

Private.—1°. Mostyn's Estate; Marquess of Tweeddale's Estate; Duke of Bridgewater's Estate; Lord Southampton's Estate; Verconin's Naturalisation.

2°. Lord Sherborne's Estate; Gibson's Estate.

3°. and passed:—Hawke's Divorce; Liverpool and Manchester Railway.

**PETITIONS PRESENTED.** From John Gummer, and Thomas Humphries, for Amendment of the Law for Imprisoning for Debt.—From a Public Meeting held at the Crown and Anchor, Strand, praying into the cause of the Public Collieries.—From Governors of Clogheen and Cater Fever Hospitals, against placing Medical Charities under the

Control of the Poor-law Commissioners.—By Lord Bernard, from Manorhamilton, Carrigaline, Kilgriffe, and Desert, against the present System of Education (Ireland).—From Gregory, for the Repeal of the Poor-law Amendment Act.—From Hayfield Union, for the Alteration of the Poor-law Amendment Act.—By Mr. Munts, from the Corporation of Birmingham, for Exemption from the Manchester, Birmingham, and Bolton Police Bill.—By Mr. Thomas Duncombe, from Roman Catholics of the Metropolis, for Equality of Civil Rights.—From a Public Meeting at Birmingham, for Inquiry into the Deaths of James Holberry and William Clayton, and the Release of Political Offenders.—From the Members of the 4 Provident Building Societies of Sunderland, for the amendment of the Act 7, Will 4, for the Regulation of Benefit Building Societies.—From Prisoners in the Queen's Bench Prison, for delaying the Operation of the Queen's Prison Act.—By Mr. Lender, from Cornhill, and Bishopsgate, London, for the Redemption of the Tolls of the Metropolitan Bridges.—From Wm. Holmes, against the Municipal Corporations Bill.—By Captain Peckell, from Mrs. Forbes, that her Husband, who had become insane in the Naval Service, ought to be supported at the Public Expense.—From Chowbent within Atherton, for the Substitution of Affirmations in lieu of Oaths.—From Lochgarron, for Ameliorating the Condition of Burgh and Parochial Schoolmasters in Scotland.—From Glasgow, for Abolition of Church Patronage (Scotland).—From Dudley, for the putting down the Truck System.—From John Murray, against restoring Mr. Oliver's Pension.—By Mr. Alnsworth, from Thornton, Wilsden, Idle, Rawdon, Bradford, and Caverly (2 petitions), against the Mines and Collieries Bill.

**DISMISSAL OF COLONEL DUNDAS.]** Lord Worsley wished to ask a question of the right hon. Gentleman opposite, of which he had already given notice. He wished to know from the Secretary at War, whether a report had come under his observation that was in very general circulation as to the hon. Colonel Dundas having used language disrespectful to her Majesty. He wished to know whether the report he alluded to had come to the knowledge of the right hon. Gentleman, and whether any inquiry had been made into the truth of that report. He should be most happy to learn that such was not the case—that no such circumstance had occurred; but if, unfortunately, it should be so, he should then like to know what were the steps that the official authorities had taken in the matter.

Sir H. Hardinge, in answer to the question put by the noble Lord, had to state, in reference to the hon. Colonel Dundas, that immediately upon the General Commanding-in-Chief becoming aware of the circumstance said to have occurred, called upon Colonel Dundas to furnish such an explanation as he might think it right to offer. Having given that explanation, the General Commanding in Chief felt bound to say, that Colonel Dundas had failed in absolving himself from the grave offence imputed to him of having expressed himself in terms disrespectful to

her Majesty. Under these circumstances, the Commander-in-Chief felt it to be his duty to submit to her Majesty, that Colonel Dundas should be dismissed from his appointment as aide-de-camp to her Majesty, and further that Colonel Dundas should be removed from the command of the 83rd regiment, and placed upon the half-pay list. He had also to state that her Majesty's Government entirely concurred in this measure, and her Majesty had been pleased to signify her approval of the determination of the Commander-in-Chief.

COLLEGES OF PHYSICIANS AND SURGEONS.] Lord *J. Russell* said, that he had heard the right hon. Baronet (Sir *J. Graham*) was about to introduce a bill affecting the Colleges of Physicians and Surgeons. He wished to know whether the right hon. Baronet intended to introduce in his bill a clause affecting the existing charters, and giving new charters; and whether, if that bill authorised the Crown to alter the existing charters, and grant new charters, it was the intention of the right hon. Gentleman to act on such powers before the Parliament again met.

Sir *J. Graham* replied, that it was his intention to bring before the House a measure authorising her Majesty to grant a new charter to the college of physicians, and if the bill were carried, the new charter should be issued before the meeting of Parliament.

Viscount *Sandon* wished to know whether the charter would give the power to grant degrees.

Sir *J. Graham* replied, that it was not intended to give by the bill any such authority, because it was not wanted. Her Majesty could at present give the power of conferring degrees to any such body as her Majesty might think fit.

Lord *J. Russell* inquired, if it were not necessary to confer such powers, for what purpose were the new charters to be given?

Sir *J. Graham* replied, that on bringing in the bill he would state the nature of the proposed charter.

Mr. *Ewart* wished to know if it would exempt these colleges from the operation of the Medical Reform Bill.

Sir *J. Graham* replied, that his answer to this must be the same as to the last question. When he brought in the bill he should state the precise provisions of the proposed charter.

Mr. *O'Connell* wished to know whether there was any intention that the charter should affect the colleges of physicians and surgeons in Ireland?

Sir *J. Graham* replied, that it was necessary to apply for powers to grant a new charter to any body, excepting one, in which the charter rested on a statute. The physicians were guarded by an act so early as the reign of Henry the 8th.

Mr. *O'Connell* observed, that the physicians in Ireland had also an act of Parliament for their charter.

#### ELECTION PROCEEDINGS COMMITTEE—BRIDPORT.]

Mr. *Cochrane* wished to address a few words to the House. He heard stated that indictments had been preferred against him, and as this might lead to a wrong inference, he wished now to mention that there had been an acquittal, no witness appearing against him. There was one point, however, to which he wished to refer. It was with respect to the consistency, kindness, and courtesy which the right hon. Baronet (Sir *R. Peel*) was accustomed to show, whenever he found a friend in a difficulty. That right hon. Baronet had certainly made a statement, which led to an unfavourable impression respecting his conduct, and that was, when the right hon. Baronet stated that he had wished for a committee, and requested an investigation into the proceedings at Bridport. Now, if he could have acted in that manner, he would have been guilty of great inconsistency; but the truth was, he did no such thing. When Mr. *Warburton* presented a petition, he begged for an early day to be named to consider it, in order that he might refute it. Then, when the right hon. Baronet had agreed that that petition was to be referred to a committee, and the question came to be whether it should go before Mr. *Roebuck's* or another committee, he said, to save the time of the House, he thought it would be preferable that it should go before Mr. *Roebuck's* committee, but he never did say that it should be referred to a committee at all. He never did entertain the opinion that cases of bribery and corruption should go before a committee; he thought rather that the matter should be fully discussed in that House. He thought, too, after the avowal of the hon. Member for *Finsbury*, that he had spent between 30,000*l.* and 40,000*l.* at *Hertford*, he could not find much fault with the hon. Member if he admitted that he had been guilty of bribery

and compromise. One thing he would say, however, which was this, that in appearing before the committee, he should give up no documents whatever, and should answer no questions but such as he thought fit. He would do nothing that might compromise others; for the bill indemnified witnesses, but not those to whom they referred. If they looked at the bill they would see what he stated to be a fact. He again said he was determined to do nothing that might injure others. For instance, a poor man might be deeply injured if it were known that he had received some money for his vote. He was determined not to give up the names of those who did him the honour of returning him, and placing confidence in him. Whatever might happen, he was determined on being guided by his own judgment. He mentioned this to save time. Upon one point he could not but congratulate the House—upon the perfect harmony that seemed to exist, and that had resulted from this committee. All must remember that when the hon. Member for Bath first rose to put a question on this matter, and a Member admitted he was guilty of a compromise, the hon. Member thanked him for his politeness; and now it was said that the urbanity, kindness, and courtesy of the hon. Member for Bath was quite astonishing. He supposed it was because the hon. Member sat in the Star Chamber, and did not use the thumb-screw? The conduct of the hon. Member for Bath hitherto must have been most extraordinary, because every one seemed to be surprised that he had not been insulted. He must say he did not see such wonderful courtesy in the hon. Member for Bath. The proceedings of the committee were now closed, at least the hon. Member for Bath had adjourned his committee till Thursday, and he announced his intention of conducting it in future on a different system. What this system would be, he did not know. His opinion was, that justice could never be obtained by unjust means, and an unconstitutional tribunal would not vindicate the law or the constitution. He begged to say that he should appear before the committee, but that he should only answer what questions he thought fit.

Subject at an end.

COLONIAL PASSENGERS.] Lord Stanley moved the Order of the Day for the third reading of Colonial Passengers Bill.

Mr. *Hawes* was much surprised at the motion which had just been made. The noble Lord had told him that he would give him ample notice of the third reading of this bill. That had been the understanding between him and the noble Lord, and he now threw himself on that understanding, and appealed to the noble Lord not to persevere in his motion.

Lord Stanley trusted that the hon. Member for Lambeth would not press his objection. He had given notice of his intention of proceeding with this bill upon the very first day of the Session. No opposition had been made to it, except one incidental objection made by the hon. Gentleman the Member for Lambeth to one clause, which objection he had agreed to take upon the third reading. He had certainly said that he would give the hon. Member opposite notice when he intended to propose the third reading, but the hon. Gentleman must be aware that, when he had fixed it for this evening, it was impossible that he could know what chance there would be of bringing it forward. There having been no House last evening, no Orders of the Day could be fixed except those which stood for consideration previously. The hon. Gentleman must be as much prepared as he was for entering upon the discussion; at any rate he would have an opportunity of raising the question which he wished to open upon a separate motion, a course which he had intimated his willingness to adopt. At this period of the Session, however, he could not well postpone the third reading of the bill.

Mr. *Hawes* said, that the noble Lord was not quite correct in his statements. The noble Lord had admitted that he was to give notice to him of when the noble Lord intended to move the third reading of the bill; this the noble Lord had not done. The noble Lord, too, stated that he was the only person opposed to the clause in question. That was very far from being the case. Many hon. Members were opposed to it as well as he was; it was, indeed, a clause which the noble Lord himself had opposed last year. If he had the papers necessary for discussing the subject with him, he would not have made the objection. He stood on the admission of the noble Lord that the noble Lord was to have given him notice, which the noble Lord failed to do. As for there having been no House last night, that was the fault of the Government.

Lord Stanley said, he had certainly

promised to give the hon. Gentleman notice of the third reading of the bill, and he had given him all the notice it was in his power to give. He was not aware on Friday night, when he fixed the bill for Tuesday, that he should have an opportunity of bringing it forward then; but, at this period of the Session, he should be anxious to bring it forward as early as possible. The House might be disposed to lose another night in forwarding the business of the country; but he could only say that any opposition to the passing of this bill would be felt as an inconvenience by many parties. He repeated that the question which the hon. Gentleman wished to open might be perfectly well raised upon a separate motion. He did not mean to say that he was the only hon. Member opposed to the clause, but he said that the only opposition of which notice had been given proceeded from the hon. Member. If the House, however, thought that the hon. Gentleman opposite had not had sufficient notice, he would not press the third reading upon the House.

Third reading postponed.

#### DEAN FOREST ECCLESIASTICAL BILL.]

On the Order of the Day for the further consideration of the report of the Dean Forest Ecclesiastical Bill; and on the question that the amendment made by the committee to the bill, be read a second time,

Mr. *Hume* said, that this was the time for moving the resolutions of which he had given notice upon this subject. The amount of public money to be voted in this case was not large, but the principle involved was one of great importance. The Dean Forest Ecclesiastical Bill was a bill to promote Church Extension, and for the application of public money towards this object. He considered that the present was a very inopportune time for such a bill to be brought forward, when the public finances were in a state of great difficulty, and when they had been obliged to impose an Income-tax in order to bring up the revenue to the expenditure. The House would remember that various efforts had been made to obtain from the Church that portion of her revenue which should be found to be superfluous, and such portions of it as by the abolition of monopoly and sinecures they found could be spared. It had been generally understood that when the hon. Baronet, the Member for Oxford, should have brought forward his

motion for the appropriation of public money for the purposes of Church Extension, that it should be opposed upon the ground that it was wrong to grant to the Church more money until it was known that the revenues she possessed were properly applied. They had had a commission, with the view of inquiring into this state of Church property; and a bill passed through the House, enacting that certain sinecures should be abolished, and that the revenues thereby obtained should be paid to the Church commissioners, with the view of their being expended in providing religious instruction for parishes found to be deficient in that respect. He had moved for a return of the funds so paid to these commissioners, but had not yet received it, although it might have been produced in a day or in two. He considered the proposed expenditure of public money, under the name of being the revenues of the Crown lands, to be highly improper. There was no revenue arising which could be applied to this purpose. It was all appropriated as it was, and to vote money from the revenues of the Crown lands was voting public money, as much as if it was to be taken from the customs. He saw no reason for the vote of money now asked for, as the churches to which it was to be applied were already endowed better than were those of upwards of 5,000 parishes of England. It would appear that there were 5,251 curates in England, employed at salaries, the average of which was 81*l.* per annum, and if the proposed vote was passed, the House might next be asked for a corresponding increase in the salaries of all other curates who were worse paid than those in Dean Forest. The revenue of the Church amounted to 4,000,000*l.* of money, and before additional grants were made, a thorough inquiry should take place into the manner in which the revenues which she possessed were employed. Many objections were now made to the application of public money for the reparation of churches. And he thought that a sum amounting to 10,000*l.* should not at once be granted to the Church without making rigid inquiries into the manner in which her revenues were disposed of. He should take the sense of the House against what he considered to be such an improper application of the public money. He wished to have proper instruction in every parish. He should be glad to have schools in every parish at the public expense, and wished



that no child should grow up without the benefit of education. It was not, therefore, merely on the score of expense that he objected to the proposed vote of public money. It was upon this ground that it was a partial application of public money, taking from a community that money which belonged to all classes and sects, and applying it to partial and local purposes. As the money belonged to the whole community, it should be expended for the benefit of the whole community. The hon. Gentleman concluded by moving as an amendment the following resolutions:—

"1. That the revenue from the Crown lands in the Forest of Dean is part of the revenue of the Crown lands transferred by her Majesty to the public exchequer of the country, in exchange and in consideration of the yearly sum of 385,000*l.* sterling, granted by Parliament out of the public revenue for her Majesty's civil list, during her lifetime; and that any grant out of the revenue of her Majesty's Crown lands to endow clergymen, or for any other purpose, is a charge on the public revenue of the country, equally as if the same amount is paid from the revenue of her Majesty's excise or customs.

"2. That the revenues of the Church of England, as appears by the report of the ecclesiastical commissioners before this House, amounted to 3,811,507*l.* sterling gross, and to 3,507,501*l.* net income, from lands and tithes, exclusive of Easter offerings and fees.

"3. That, by the act 6 and 7 William 4th, c. 77, and subsequent act, it was enacted that various sinecures and other offices in the Church should be abolished, and reductions in the salaries of some of the clergy made as vacancies occurred; and that the revenues of such suppressed sinecure offices should form a fund, to be applied by the said commissioners to the augmentation of small livings, and to such other Church purposes as stated in that report.

"4. That, besides these large revenues of the Church applied to Church purposes, there has been paid out of the public revenue of the United Kingdom the sum of 5,678,751*l.* sterling for the Established Churches in England, Ireland, and Scotland, between the years 1801 and 1840 both inclusive, besides many large payments in the British colonies for the support of the Church; and all these sums have been an addition to the national debt, the interest of which is now chargeable on the public revenue.

"5. That it appears by the bill before the House, intitled 'Dean Forest Ecclesiastical Districts Bill,' that the sum of 2,200*l.* has been already paid by the Lords Commissioners of her Majesty's Treasury, from Parliamentary grants, towards the endowment of the clergymen of the chapel of Holy Trinity, and that

three of the clergymen of the chapels of the Forest of Dean have already yearly endowments to the amount severally of 118*l.* 10*s.* 6*d.*, of 93*l.* 13*s.*, and of 74*l.* 3*s.* 6*d.*

"6. That there were, as stated by the ecclesiastical commissioners in their report of 1835, 5,251 curates employed by incumbents, at salaries, the average of which amounted only to 81*l.* sterling, and showing that many of these curates perform the ecclesiastical duties in their parishes for smaller incomes than the clergy of the Forest of Dean chapels already possess.

"7. That, therefore, in the present commercial, manufacturing, and financial difficulties of the country, and at a time when Parliament has passed an act to add by taxation three or four millions sterling to the burdens of the people, to meet the already sanctioned expenditure of the country, it is highly inexpedient to increase that expenditure by granting a sum equivalent to 10,500*l.* of 3 per cents. from the public revenue of the country, for the endowment of the clergymen of the chapels of the Forest of Dean.

"8. That it appears by the bill, that in the year 1838 the commissioners of her Majesty's woods and forests, with consent of the Lords of the Treasury, invested the sum of 843*l.* 15*s.* from the revenues of the Crown lands, to purchase the sum of 1,000 3 per cent. Consolidated Bank Annuities, upon trust, towards the repairs of the fabrics of the said three chapels for ever, and the further proposed grant of money, equivalent to 333*l.* 6*s.* 8*d.* of 3 per cent. Stock, the dividends of which are to be applied for the maintaining and repairing the fabric of these chapels, would be a precedent for paying Church-rates out of the general revenue of the country, and ought not to be agreed to."

Lord Lincoln remarked that the hon. Member had moved resolutions as long as the speech by which he had prefaced them. But that speech had little relation to the subject before the House, and the House would not expect him to go regularly through it; more especially as the subject had recently been discussed, and he had stated his opinions with respect to it. The first six resolutions now proposed purported to be purely statements of facts, but he would observe that they were by no means pure statements of facts. The present measure was founded on a new principle, but on one which was invariably adopted when the occasion called for it.

Mr. W. Williams contended that this was a gross job. Such a measure for taking a large sum out of the public taxes at a time when the land was covered with distress and suffering ought never to be pressed by the Government. They had an interest, it was true, in getting it

passed, as it gave a large share of patronage, but he should certainly give it every opposition in his power.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 177; Noes 44: Majority 133.

#### *List of the Ayes.*

Acland, Sir T. D. Duff, J.  
Acland, T. D. Duffield, T.  
A'Court, Capt. Dugdale, W. S.  
Adderley, C. B. Duncombe, hon. A.  
Ainsworth, P. Dundas, D.  
Antrobus, E. Du Pre, C. G.  
Arbuthnott, hon. H. East, J. B.  
Arkwright, G. Egerton, W. T.  
Ashley, Lord Egerton, Sir P.  
Attwood, M. Elliot, Lord  
Bailey, J. Escott, B.  
Baillie, H. J. Estcourt, T. G. B.  
Baldwin, B. Farnham, E. B.  
Baring, hon. W. B. Ferguson, Sir R. A.  
Baring, rt. hon. F. T. Feilden, W.  
Barnard, E. G. Ferrand, W. B.  
Barneby, J. Fitzroy, Capt.  
Barrington, Visct. Fleming, J. W.  
Beckett, W. Flower, Sir J.  
Beresford, Major Ffolliott, J.  
Bernard, Visct. Forbes, W.  
Blackstone, W. S. Fuller, A. E.  
Bodkin, W. H. Gaskell, J. M.  
Boldero, H. G. Gladstone, T.  
Borthwick, P. Gordon, hon. Capt.  
Botfield, B. Gore, M.  
Bramston, T. W. Gore, W. O.  
Broadley, H. Gore, W. R. O.  
Broadwood, H. Goulburn, rt. hon. H.  
Brodie, W. B. Graham, rt. hn. Sir J.  
Buck, L. W. Greenall, P.  
Buckley, E. Greenaway, C.  
Buller, C. Greene, T.  
Buller, Sir J. Y. Grey, rt. hn. Sir G.  
Campbell, A. Grimsditch, T.  
Cardwell, E. Grogan, E.  
Carnegie, hon. Capt. Halford, H.  
Cartwright, W. R. Hamilton, W. J.  
Cavendish, hon. G. H. Hamilton, Lord C.  
Chelsea, Visct. Hanmer, Sir J.  
Childers, J. W. Hardinge, rt. hn. Sir H.  
Clements, Visct. Hardy, J.  
Clerk, Sir G. Hawkes, T.  
Cochrane, A. Henley, J. W.  
Codrington, C. W. Hervey, Lord A.  
Colborne, hn. W. N. R. Hodgson, F.  
Courtenay, Lord Hodgson, R.  
Cowper, hon. W. F. Hogg, J. W.  
Craig, W. G. Houldsworth, T.  
Cresswell, R. Hope, hon. C.  
Cripps, W. Hornby, J.  
Darby, G. Howard, hn. J. K.  
Denison, J. E. Hughes, W. B.  
Denison, E. B. Irving, J.  
Dickinson, F. H. Jackson, J. D.  
Douglas, Sir H. James, Sir W. C.  
Douglas Sir C. E. Jermyn, Earl

Jolliffe, Sir W. G. H. Patten, J. W.  
Jones, Capt. Peel, rt. hon. Sir R.  
Knatchbull, rt. hn. Sir E. Pollington, Visct.  
Knight, H. G. Praed, W. T.  
Knight, F. W. Pringle, A.  
Langston, J. H. Protheroe, E.  
Lascelles, hon. W. S. Repton, G. W. J.  
Lawson, A. Richards, R.  
Lefroy, A. Rolleston, Col.  
Lagh, G. C. Rushbrooke, Col.  
Lincoln, Earl of Russell, Lord J.  
Litton, E. Sandon, Visct.  
Lockhart, W. Seale, Sir J. H.  
Lowther, J. H. Shaw, rt. hon. F.  
Lyll, G. Sheppard, T.  
Lygon, hon. Gen. Somerset, Lord G.  
Mackenzie, T. Stanley, Lord  
Mackenzie, W. F. Stuart, Lord J.  
Mackinnon, W. A. Sturt, H. C.  
McGeachy, F. A. Sutton, hon. H. M.  
Mahon, Visct. Taylor, T. E.  
Manners, Lord C. S. Thesiger, F.  
Manners, Lord J. Trevor, hon. G. R.  
Martin, C. W. Trollope, Sir J.  
Morgan, O. Trotter, J.  
Mundy, E. M. Vesey, hon. T.  
Newport, Visct. Waddington, H. S.  
Norreys, Lord Wilbraham, hn. R. B.  
Norreys, Sir D. J. Wood, Col. T.  
Northland, Visct. Young, J.  
Pakington, J. S. TELLERS.  
Palmer, R. Fremantle, Sir T.  
Palmerston, Visct. Baring, H.

#### *List of the Noes.*

Aldam, W. Holland, R.  
Barron, Sir H. W. James, W.  
Bernal, Capt. Marsland, H.  
Bowring, Dr. Martin, J.  
Brotherton, J. Morris, D.  
Browne, hon. W. Murphy, F. S.  
Busfeild, W. O'Connell, J.  
Callaghan, D. Pechell, Capt.  
Cobden, R. Plumridge, Capt.  
Colebrooke, Sir T. E. Roebuck, J. A.  
Crawford, W. S. Scholesfield, J.  
Dennistoun, J. Scott, R.  
Duncan, G. Thorneley, T.  
Duncombe, T. Villiers, hon. C.  
Ellice, E. Wall, C. B.  
Elphinstone, H. Ward, H. G.  
Fielden, J. Watson, W. H.  
Gill, T. Wood, B.  
Gordon, Lord F. Wyse, T.  
Gore, hon. R. TELLERS.  
Hastie, A. Hume, J.  
Heathcoat, J. Williams, W.  
Hill, Lord M.  
Hindley, C.

Main question agreed to. Bill to be read a third time.

SOUTH AUSTRALIA.] House in committee on the South Australian Acts.

Lord Stanley rose to move the resolutions of which he had given notice respect-

ing the colony of South Australia. The noble Lord said it would be in the recollection of the House, that when the colony of South Australia was established, the management of its affairs was intrusted to a board of twelve unpaid commissioners. The provision of the act for the government of the colony was, that no burdens should be thrown on the mother country in consequence of the measure, but that the expenditure should be borne by the colony. It was, of course, necessary that provision should be made to defray the heavy expenses incidental to the establishment of such a society — expenses the amount of which seemed not to have been calculated upon by the originators of the scheme. Power was therefore given to the commissioners to raise a sum not exceeding 200,000*l.*, by borrowing on the future credit of the colony. Money was borrowed at an extravagant rate of interest, and the colony, without the means of defraying its current expenses, was soon saddled with a heavy debt of from 85,000*l.* to 86,000*l.*, bearing interest at 10 per cent. The political administration of the colony was intrusted to a governor appointed by the Crown; but it was soon found that the division of authority thus made tended to paralyze the action of both departments of the colonial Government. In 1840 the noble Lord opposite (Lord J. Russell) thought it expedient to take the control of these matters out of the hands of unpaid commissioners, and placed it in the hands of commissioners acting under the immediate control of the Colonial-office. According to the arrangement made by the noble Lord, the same person was appointed resident commissioner, under the authority of the commissioners, and governor under the authority of the Crown. This got rid of the evil of having two separate authorities in the colony; but an inconvenience arose from the circumstance of the governor having, as it were, two masters, and receiving instructions of a very conflicting nature, which he knew not how to execute. In the meantime the affairs of the colony continued in a state of great confusion, and in July, 1841, they appeared to be rapidly proceeding towards a state of insolvency. The provisions with regard to the political administration of the colony which he proposed to introduce into the bill he wished to submit to the consideration of the House would closely follow the recommendations of the committee of last year, a power

being reserved to Her Majesty of establishing in the colony a popular representative system, when circumstances should appear to justify it. With respect to the financial difficulties of the colony, it would be recollected that last year an advance was made from the Treasury here to the colony of 155,000*l.*, which sum was to be repaid by the colony, instructions having been sent out to Colonel Gawler, to abstain from drawing any more bills on the Treasury in England, Colonel Gawler, on receiving these instructions, did not, unfortunately, comply with them. Acting on what he considered a pressing emergency, he applied to the Executive Council for advice, and continued to draw on the Treasury from the 17th of February, 1841, till the 24th of April, 1841, certain bills which were not honoured. On the 10th of May, 1841, Captain Grey superseded Colonel Gawler; and he found that the expenditure of the colony, which had been estimated by the committee of last year at 70,000*l.*, had considerably increased. The expenses of the public establishments was approaching to 94,000*l.*, and there were other expenses, from public works, and other sources, increasing the expenditure to 150,000*l.*, while the whole amount of revenue which existed to meet this expenditure did not exceed 30,000*l.* It therefore became necessary to put a stop to this expenditure, and Captain Grey entered on the task with so much zeal and activity, that he reduced it to a sum not exceeding 34,600*l.*, effecting a saving of nearly 115,000*l.* These measures of economy necessarily threw into distress a large amount of population, who depended for subsistence on the Government expenditure. Many of the works in the town of Adelaide, though at present unproductive, would unquestionably be of great service and utility to the colony ultimately. They had, now, however, attracted speculation towards them, withdrawing it from those other sources of public prosperity which, though more slow, were nevertheless more certain in their development. The result of this was the rising of prices, both of labour and produce; and when a practice of economy was introduced, a vast number of persons being thrown out of employment, received, under a plan which was obnoxious to great abuses, and entailed a heavy expense, support from the Government. Abuses similar to those which existed under the worst administration of the old Poor-law made their appearance,

and in consequence of this, positive instructions were issued that assistance should be given to no person who refused agricultural employment at wages even below the ordinary wages of the colony. In consequence of this, agriculture was extending, prices falling, and at present a more healthy state of things was succeeding to that which he had always looked on as a false prosperity. He would now state the liabilities of the colony from 1835 to the end of 1842. There was the Parliamentary grant of 155,000*l.* advanced last year as a loan, and which was to be repaid; and there was also a sum of 50,000*l.* taken as a vote, which was, however, not a liability of the colony, though supplied at the cost of the mother country. It was clear that the amount of the bills drawn by the Governor previously to receiving instructions to abstain from drawing must be made good. The amount of the bills which Colonel Gawler drew, and which still remained unpaid, was 27,290*l.*; besides those drawn already by Captain Grey, almost entirely on account of the emigrants, who were maintained at the expense of the public, amounting to 17,646*l.* There was, moreover, as he stated to the committee at the outset, a sum of 85,800*l.* borrowed by the commissioners in the first instance, which stood as a debt bearing interest from 6 to 10 per cent. Besides these, there were bills of Colonel Gawler, which he left outstanding, as money advanced to Government for various services, and which amounted in all to nearly 35,000*l.* The whole of that sum was advanced by individuals in the colony, undoubtedly for the service of the colony, but all, he believed, after the governor himself and the colony were aware of the peremptory orders Colonel Gawler had received to abstain from drawing upon the Treasury for the future. Besides this, there was due from the general revenue of the colony to the land and emigration fund, supposing the original system to have been carried out, a sum of 84,697*l.*, which was the surplus realised by the sale of land, and which should have been advanced for the purposes of emigration, to which, it was pledged, but which had been advanced for the general purposes of the colony. Supposing, then, all those amounts to be defrayed, the total sum due from the colony up to the present time would amount to somewhere about 400,000*l.* It remained for him to state the course which, upon a full consideration of the various claims and examination of their

respective merits, the Government deemed it expedient to pursue. In the first place, he thought the House would concur with him, that in justice to those who had gone out on the faith of the Government, a colony which already numbered 15,000 souls, in which there was a vast amount of fixed capital invested, the imports of which were above 30,000*l.*, and the exports of which were rapidly increasing, ought not to be abandoned by the British Parliament for want of a small temporary assistance. At the same time, he went as far as those who said it was the bounden duty of the Government to make economical arrangements for the future, and to see that no fallacious expectations were held out, nor that any governor was to suppose that if he fell into lavish expenditure he had nothing to do but to draw bills upon the Treasury in this country. Captain Grey had reduced the annual expenditure to about 36,400*l.*, and at the present time the expenditure on account of pauper emigration was at the rate of nearly 24,000*l.*; but he hoped that the measures of the Government would considerably reduce that in the course of the coming year, though it was not possible to put a stop at once to a system hitherto pursued. He had, however, reason to believe, that within the course of a very short time, if the credit of the colony were maintained by the determination of the Government to relieve it from its present embarrassment, a large portion of its first expenditure having been defrayed, the colony would be enabled to become a self-supporting colony, and to maintain its own establishments and expenditure. He did not anticipate, therefore, that it would be necessary for this country year by year to vote in the estimates any considerable sums, and he hoped not any sums for the ordinary annual expenditure of the colony. But to place it in that condition it was absolutely necessary to make arrangements to relieve it at all events from its most pressing difficulties. The revenue of the colony was estimated at 34,500*l.*, but the present expenditure would probably exceed that amount, without reference to the debt of the colony. As to the sale of lands, in the present state of the colony, he did not believe that there was any part of the Australian dominions which afforded a fair prospect to persons disposed to emigrate with certain capital, and to employ that capital in the purchase of land and agricultural labour, because the effect of the measures which had been

taken had been to render the supply of labour superabundant to the amount of capital, and consequently to reduce the rate of wages. With respect to the sum of 155,000*l.* advanced to the colony last year, by way of loan, he did not think he called upon Parliament in this country to do too much to forego the payment of that sum. To insist upon the colony paying interest in the present state of its finances would be to pay with one hand and to receive with the other; and therefore, under the present circumstances of the colony, he did not hesitate to propose to Parliament to sacrifice any expectations they might entertain of the repayment of that amount of 155,000*l.* and interest; and in the same manner he should propose, in the present year, to submit to Parliament the expediency of making good the amount of the 27,290*l.* drawn by Colonel Gawler upon the Treasury, and which the Treasury felt bound to recommend to Parliament to sanction. These bills were accepted upon the confident expectation that Parliament would not refuse to make the expenditure. He proposed to ask Parliament further to sanction the expenditure incurred by Captain Grey chiefly for pauper emigrants, whom he felt it necessary, in the first instance, to maintain. That amount was 17,600*l.* He should then propose a vote in the estimates of this year of 15,000*l.*, to enable the Government of the colony to be carried on in the present year, but that was intended to include another item which he would now advert to. There was a bond debt for money borrowed by the colony to the amount of 8 500*l.*; that was borrowed at rates of interest varying from 6 to 10 per cent. It had been important that no statement upon that subject should be made until his right hon. Friend the Chancellor of the Exchequer had had an opportunity of personal communication with the persons who held those bonds, and who claimed 10 per cent., the condition of the bonds being that the monies should not be paid off for certain periods, varying from five to ten years. His right hon. Friend had entered into an understanding with those persons that they should sacrifice their claim, not to the amount of those bonds, but to the 10 per cent. interest to which they were entitled, and that they should allow the amount of their bonds to remain outstanding, at interest of 3½ per cent., that being guaranteed by the British Treasury; but being left a charge upon

the revenue of the colony, which would enable the Government hereafter to claim it from the colony. That amount of interest at 3½ per cent. he proposed to be charged upon the Consolidated Fund, and he had referred to it in one of the resolutions which was submitted to the House. There was the further sum of 35,000*l.*, which stood on a somewhat different footing. That sum, for which no bills had at present been drawn, was for outstanding claims for sums advanced to the Government in the colony by persons, upon the full knowledge of the peremptory orders which Colonel Gawler had received not to draw any further bills: and upon those claims considerable inquiries would have to be made. They amounted, as far as he at present knew, to 35,000*l.* Now, it was not proposed directly or indirectly to provide for that debt, except so far as the assistance which it was proposed to give to maintain the credit of the colony might enable it to pay a moderate interest upon it; and while, therefore, the Governor was afraid that the Government would not be prepared to recommend to Parliament to take upon themselves that amount, yet he had been authorized to issue in the colony debentures, with interest not exceeding 5 per cent.; and that security was proposed alone to be given to those persons who had advanced that sum of 35,000*l.* The remaining debt of the colony was one which he might call a debt in the colony itself, and amounted to 84,600*l.* The result, then, would be, that the debt of the colony, except the 35,000*l.*, would become a debt of the mother country, and the sum we should be called upon in the course of the present year, and he hoped not in any future year to pay, amounted to 59,900*l.* He trusted, that except for very small amounts, which he hoped might not occur at all, this would be the last sum which it would be necessary to call upon Parliament to pay, in order to set the colony of South Australia in such a condition as to enable it in future to carry on its own affairs. He had felt it necessary frankly and candidly to give this explanation to the House, and he had endeavoured to place before them what was the actual condition of the debt of the colony, and what was the actual amount of sacrifice which the Government were now prepared to advise Parliament to make for relieving it from its present embarrassment; but he hoped, that with such assistance the colony would be enabled, even if it made but

slow, at least to make sure advances to prosperity, and that the changes in the colony, together with the measures affecting the land sales, which he had lately carried through Parliament, and the alterations in the constitution of the colony, made last year, would give the Government such a control over the affairs of that colony, as to prevent much of that disorder which had hitherto existed, and to maintain that control which they ought to have upon a distant settlement, and would be to the advantage and prosperity of the colony of South Australia. The noble Lord moved the following resolutions:—

"1. That provision be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland for defraying the interest or annuities arisen, or to arise upon, securities granted by the colonization commissioners for South Australia on account of that province.

"2. That any money which may have been advanced out of the said Consolidated Fund, on account of the colony of South Australia, in pursuance of an act of the fourth year of her present Majesty, shall be deemed to have been advanced in aid of the revenues of that province, and not subject to repayment to the said Consolidated Fund.

"3. That provision be made for the better government of South Australia, and the management of the revenues thereof."

Mr. *Divett* said, that the persons who first went out to that colony supposed that capital would do everything; but he had no doubt that under a better system of cultivation the colony would prosper. A great increase in the stock in the colony had taken place since its formation. The exports of the past year had exceeded 50,000*l.*, and, under all circumstances, he did think that good hopes of its eventual prosperity might reasonably be indulged. The subject was one which he could not advert to without saying that all who were connected with the colony must feel deeply indebted to the noble Lord for the attention which he paid to the interests of that infant community, and for the candid statement which he had on the present occasion made to the House.

Mr. *Williams* denounced everything that had been done respecting the government of the colony as presenting gross instances of jobbing and mismanagement. It was now proposed to incur an expense of 300,000*l.* Now, it was worthy of notice, that the whole colony contained a population of only 15,000 persons; and yet there was to be an expense of 20,000*l.* a-year for the maintenance of the paupers belong-

ing to so limited a population. He knew it was useless to think of opposing the proposition of the noble Lord; but he really thought it would be better to give up the colony altogether than thus incur any further expense.

Mr. *Mackinnon* defended the expenditure for the use of the colony, on the ground that it was necessary in the first instance to send out complete machinery for the administration of justice, and, he added, that it was necessary to do so speedily and effectually. As to what had fallen from the hon. Member opposite, he must be allowed to say, that nothing could be more absurd than to think of abandoning a colony which, with fair treatment, might in time become as powerful as the United States of America.

Mr. *R. V. Smith* quite agreed with the last speaker in thinking that it would be highly inexpedient to abandon a colony so circumstanced as South Australia, and when reference was made to pauper emigrants, he must be allowed to say, that those who were spoken of as the paupers of that colony were not parties who, by any conduct of their own, brought on the poverty under which they were now suffering. He concurred generally in the plans of the noble Lord, for they were, in a great degree, founded upon the view taken of this subject by the committee which sat last year, and of which he and the noble Lord were members. No doubt the expenses to be incurred were very considerable, but, of course, the noble Lord and his colleagues had given the subject mature consideration, and, with a full knowledge of the facts, had recommended an expense which they believed to be necessary. He had heard with cordial satisfaction the reference which had been made to the activity, vigour, and energy of his friend Captain Grey; and, on the whole, he entertained strong expectations that the establishment of the colony would eventually be quite successful.

Mr. *Ward* could never be induced to concur in anything so cruel and unjust as to abandon a colony which we had founded under such circumstances, and one, too, which was rapidly advancing to a healthy condition. Its exports were increasing, and there was every reasonable prospect of its soon attaining considerable prosperity. Something had been said about the necessity of sending out complete machinery for the administration of justice, and for otherwise regulating the affairs of the

colony. Now, for his part, he should like to see more trusted to local government, and he thought it desirable that new colonies should, to some extent, at least, be thrown upon their own resources. In the resolutions proposed by the noble Lord he cordially concurred.

Resolutions agreed to. The House resumed.

MINES AND COLLIERIES.] Lord *Ashley* moved the Order of the Day for the further proceedings on the third reading of the *Mines and Collieries Bill*.

Mr. *Ainsworth* said, he had been requested, in the absence of the hon. Member for Bradford, to present fifteen or sixteen petitions from the working classes in the neighbourhood of Bradford against the bill of the noble Lord. It was not his intention to trespass long upon the House, having been advised by several persons who were deeply interested in this question not to oppose the measure in its present stage, but to let it go up to another place with all its faults and failings. He would, however, state some of the reasons why he disapproved of it. To the exclusion of women from collieries he had not the slightest objection; but he thought that just now their exclusion would increase the distress which already prevailed amongst the poor and labouring population of the country. The noble Lord was also determined to remove boys of nine years of age, and to prevent those of ten, eleven, and twelve years old from working more than three days in the week. If the bill passed in that shape, hundreds of children would be thrown out of employment, and hundreds of families would be driven into work-houses. By the clause which he had submitted, children would have been allowed to work five days in the week, limiting the hours of labour for the whole week to forty-five. The plan of the noble Lord was not practicable, and in that view he was supported by the opinions of practical men, who had informed him that in Bolton, the coal being of what is called a tender description, the working on alternate days only would not answer, it being necessary that the workmen should be in attendance every day. With respect to the mines of Staffordshire, the employment of boys on alternate days was wholly impracticable. An individual who had come up from Lancashire only a day or two ago had told him, that it was utterly impossible for him to have relays of boys in the neighbour-

hood where he resided; and that out of 120 boys employed by him, sixty were under thirteen years of age, and thirty-two under nine years, and these would be entirely deprived of the means of subsistence, or they must go into the mines, and thus the noble Lord's bill would become a dead letter. In Scotland there were at least forty widows and their families who were entirely dependent on the labour of their children, and they would be compelled to go to the kirk for relief. A gentleman in his own neighbourhood had declared to him that the coal-masters cared not much about the bill; as long as they got their mines worked, they were indifferent as to the sufferings of their workmen; it was, in fact, a labourer's question. The effect of the bill would be to deprive many boys of work, and to reduce the wages of the rest 50 per cent. Mr. Buddel had explained how it was that the noble Lord had obtained the support of some of the proprietors of mines; his supporters were those who worked thick mines; but those who had to work thin mines could not but object to the practice of the boys labouring only three days a week. By the clause which he had submitted, children under ten years old would not have been permitted to enter a mine; they would not have to labour until they were able. The question really was, whether this labour was prejudicial to the health of the children? He would call attention to the reports of the commissioners. Many cases which had appeared in their reports were highly coloured. There was a case related of a little girl who had been taken before nobody knew whom, and great doubts were entertained of the accuracy of the story about her. The gentleman who owned the mine in which the girl was said to have been had made inquiries amongst his workmen, and could obtain no information as to any commissioner having taken the girl—who had died since—before a magistrate, or of any commissioner having examined into her case. If commissioners were sent to collect information, they ought to go at once to the fountain-head. But what was the condition of the boys? Those in the West Riding of Yorkshire were reported to have good food and clothing; they had bread and milk and porridge for their breakfast, large lumps of bread and cheese for their luncheon, and a hot meal on their return home. He wished all the poor children in Lancashire were as well fed; but by this bill they would all be re-

duced to the same state of privation and suffering. The commissioners said, that when the parents were well conducted the children were generally well fed, and had a change of clothing every Sunday. What was the report of medical men in various parts respecting these children? He held in his hand statements from various professional gentlemen. In Durham and Northumberland their health was remarkably good, as was frequently shown by their speedy recovery from wounds. Comparing them with the children of agricultural and other labourers in North Wales, they had better wages, lived in better houses, which were better furnished, their clothing was as good if not superior, and they did not work more hours in the day. In South Wales the children enjoyed a greater share of good health than those of other workmen. Another medical man said—

“I cannot discover that the health of children of seven or eight years of age was affected by their daily subhumation for eight or ten hours. The colliers live like fighting cocks, and presented a realization of the sturdy and swarthy colliers.”

The state of these children was much better than that of the factory children; but the effect of the noble Lord's bill would be to deteriorate their condition, and to aggravate the distress which already existed amongst the working classes. In the borough with which he was connected there was what was called a relief fund, from which, during the last year, the following persons derived assistance:—373 cotton-spinners; 370 weavers; 134 outworkers or working labourers; but only nine of the colliery population. The noble Lord had already interfered with the cotton-spinners, and gone such great lengths as to cause great privation amongst them, and the result of this measure would be the same with regard to the mining population. This question had been very properly termed the poor man's question—it was one which did not affect the rich, or one in which they took little interest. But he must say, as a county magistrate, that he would not be responsible for the public peace if the bill were carried into effect in its present shape, and another county magistrate had expressed himself to the same effect. He had witnessed the distress, want, and misery of the population in his own neighbourhood, and had been influenced only by one motive—that of benevolence, in the course he had taken with regard to this measure. The colliers had

invariably withstood the overtures of Whigs, Tories, and Radicals, to get them to join in any political movement. They had said, “As long as we can by hard work gain a livelihood, we have no wish to enter into any political squabble.” Would it not be better (as one of his correspondents inquired) for the noble Lord to be content with removing the women this year? Let him be satisfied with that for the present, and not be too hasty. Such a bill, if passed into an act of Parliament, would very likely introduce discontent and political agitation where they were unknown before, and the consequence might be serious. The colliers would repeal an act of Parliament much sooner than the House of Commons. With respect to that clause for prohibiting the entrance of children into the mines, he would ask, how could they prevent a man from taking his own children into a pit? They must have a policeman at every spot, and disturbances and affrays would continually take place. He assured the noble Lord, that he could not carry his bill into operation in its present state. That being his opinion, he wished to see that clause modified. There was another serious objection to the bill. No provision was made for the accidents which were of so frequent occurrence. He wanted to know how were these poor people to obtain their livelihood, if their hours of labour were to be so restricted? It was utterly impossible that such a bill could become the law of the land. He fervently rejoiced that there was another House. (*Cheers.*) Yes, he again said he was glad that the bill of the noble Lord was to be considered in another House. Hon. Members opposite might cheer, but he maintained that he had always supported the privileges of the Upper House. He thought that the other House of Parliament was necessary to correct harsh or false legislation. He perfectly concurred in all that the noble Lord said on the importance of education. He had always been an advocate for the education of the people. He must say of the children employed in his own mines, that great attention was paid to their moral and religious habits. He required all the children whom he employed, not only to attend a place of worship regularly, but also the Sunday-school. The hon. Member concluded by stating that it was not his intention to persist in his opposition to the bill.

Mr. Bennett thought that the bill before



the House did honour to the noble Lord with whom it had originated. He differed from what had fallen from the hon. Member who had last addressed the House. He considered that the House was justified in interfering in all cases where the poor were oppressed. He was not influenced by interested motives. He had nothing to do with collieries and mines. As the House had interfered on previous occasions in questions of this kind—he referred to the bills relating to the factory children and the sweeps—he thought that it was the duty of Parliament to throw its protection round those to whom the measure of the noble Lord specially referred. The bill did honour to the noble Lord—honour to the Legislature, if it passed such a measure. It was disgraceful to think that children employed under ground in the mines should be exposed to such treatment.

On the question that the bill do pass,

Mr. C. P. Villiers vindicated the conduct of those Members of the House who, upon a former evening, had insisted upon an adjournment of the debate. He repudiated the foul and false calumnies which had been heaped upon them in consequence of the course they had pursued. Their object had not been to defeat the bill, or to defend the abuses which it was the object of the bill to correct; but simply to give an opportunity for a further and fuller discussion of a measure which, with the intention of effecting much good, was still calculated in some respects to work no inconsiderable degree of mischief. The objects and intentions of those who had opposed themselves to the rapid progress of the bill had been grossly misrepresented. They had never defended the employment of women and children in the manner described in the reports. Every one who had spoken had expressed an earnest wish to correct such evils as were really found to exist. But there was reason to believe that the reports of the commissioners were, in many respects, somewhat partial and inaccurate. This was a reason for delay and for further discussion, in order that the truth might be accurately ascertained before any legislation was adopted upon the subject. He entirely agreed with the object of the noble Lord in preventing the employment of very young boys in mines and collieries; but, at the same time, he was at a loss to know how those boys, who hitherto had been employed six days a week, were

hereafter to obtain the means of living when their employment was limited to three days a week. He admitted that no time should be lost in legislating to prevent the continuance of those abuses which the coal-owners of the north had permitted, to their disgrace, to exist in their collieries; but he could not help feeling that this measure had not yet been discussed with a view to the real interests of those persons who would be immediately affected by it. He thought that it required further consideration, and that the House, before it proceeded to legislate upon the matter, should possess itself of further and more accurate information. Under these circumstances he was glad that the measure had yet to undergo a discussion in another place, where he hoped the good parts of it would be retained, and the injudicious and bad expunged.

Mr. Attwood said, that in offering observations on the details of the noble Lord's bill, he desired to say that he entirely concurred in its general principle and objects. He had supported every measure the noble Lord had brought forward for the protection of the labouring classes, as he supported all the measures having this object of the late lamented Mr. Sadler, the noble Lord's predecessor in a task which reflects on him so much honour. But, at the same time, he believed that if more deliberation had been used in maturing the details of the present measure, the bill would have been rendered equally effectual for protecting the oppressed portion of the classes comprehended in the bill, without inflicting injury, as he feared would now be the case, on other portions of those classes, and without unnecessary interference with the interests of their employers. In Staffordshire and in Shropshire many collieries employed from 200 to 300 each of boys, from ten to thirteen years of age. They were essential to the working of the mines; he believed they were not overworked or oppressed, and he feared that a bill, preventing such boys being employed for two consecutive days, would render their labour useless, throw many of the boys themselves out of employment, and inflict hardships on the class intended to be benefitted. Of the manner in which boys were employed in the collieries in that part of England which he had the honour to be connected with by representation, he would speak with perfect confidence. He would show

the House a short statement of facts that would enable them to judge how little benefit, and what probable injury, might be effected by this provision. In the great collieries belonging to the Earl of Lonsdale, at Whitehaven, were employed under ground more than 600 able colliers. These men had mostly been trained from their youth in these pits. It was that training which gave their labour value. He held in his hand a statement showing that of fifty-five of those men, taken without selection as they came from the pits, fourteen only had been employed there for a less period than twenty-five years. Some had been employed thirty-five years, some forty-five, some fifty, some sixty-two. Now, when men have been employed such periods as these in one task, they must have been young when they entered on the labour. In these collieries were ninety-three boys, between ten and thirteen. They entered as trappers; their work was to open and shut the air-doors, a task similar to opening and shutting a wicket-gate. They were promoted to be drivers of horses. In these extensive mines were not less than 140 horses constantly employed under ground. The boys led the horses; as they ceased to be boys they were taken to other branches. They became colliers, engineers, or filled other tasks suited to full-grown labourers. He would say that it would render those boys utterly useless to prevent their occupation being carried on any two successive days; but every one must see that a measure which effected this, greatly endangered the interest of the boys themselves. The hon. Member for Wolverhampton had complained of the reports of the commissioners. There was reason for that complaint. The gentleman who had reported on the Whitehaven collieries had made a report, which he was not warranted in making. The commissioner was a Mr. Symons. He, not knowing who he was, would not speak of him but with respect, and the more so because he was not present. When he inspected those collieries, he stated to the gentlemen who accompanied him that the regulations were unexceptionable; that if all collieries were conducted similarly, there would be no occasion for legislative interference; but having said this at Whitehaven, he had stated in his report that he found instances of hardship, and that he believed he should have found more, but that evidence was not given freely, on account of the presence of what

he described as great men. Now, this was an insinuation, if not an assertion, that information was kept back by the influence he referred to; and he took on him to say, that whether this were insinuated or affirmed, it was in either case utterly unfounded. The very respectable gentleman, Mr. Peile, known to many Members of that House, who was the manager of the extensive collieries of Lord Lonsdale, was in all probability the gentleman referred to amongst the great men in this insinuation. Mr. Peile was as incapable of this conduct as he was without a motive for it; and he was assured that neither Mr. Peile nor any other of the managers of these collieries, could have any desire but to give the most explicit information. He should say no more but to express his regret that before the bill had gone through the committee in that House, the parties whose interests were affected had not, by earlier information, been enabled to propose amendments, which he believed would have improved the bill.

Mr. *Stansfield* quite agreed with the last speaker in thinking that the bill had not been maturely considered, and expressed his fear that too many had formed their opinions on the subject merely on the exaggerated reports which had gone forth to the public. He must say that he had strong objections to the cuts which the commissioners thought it right to publish with their report. It was an indecent mode of attracting attention, and one which was likely to lead to great exaggeration. What would have been said if some of the poorhouse hardships had been thus illustrated—if the cases narrated the other night as having occurred in the Keighley Union had thus been pictured forth to attract public attention? He was of opinion, too, that the measure, great as was its design, would be very limited in its operation. The clause, for instance, regarding the apprenticeship of boys would only affect some fifteen or sixteen in the extensive coal district of South Staffordshire. If they were to go on in this way, every class would soon have its enactment. Milliners and pinmakers would be protected, as it was called, and little children employed in hemming and stitching, or in putting heads on pins, would only be allowed to work alternate days. Really they should consider what these children were to do on the days they made them idle by act of Parliament. They did not provide education for them, and yet they

refused to let them earn an honest livelihood. He said it was very dangerous to interfere in such a manner, and he earnestly hoped they would be careful of the grounds they acted on. To show the exaggerated nature of the statements in the report, he would take the liberty to state one instance which had come under the observation of a friend of his. In the report of one of the commissioners, Mr. Kennedy, it was stated that a boy in the Lancashire district had stated that he had seen his master strike another boy, a pauper, apprenticed by the St. Helen's workhouse, on the shins and legs with a pickaxe, and that he had also seen him throw a hundred weight at him, which "swelled up his eye and made it blue." This case was quoted by the noble Lord opposite as an instance of great oppression. Now, thinking it rather strange that the hundred weight so thrown should only have had the effect of "swelling up this boy's eye and making it blue," his friend had referred to the evidence accompanying the reports, and had there found that the boy had been struck, not with a pickaxe, but with a pickarm, or handle, and that, instead of a *cwt.*, a *cut* had been thrown at him, the said cut being a notched stick of no great thickness, which served as an index for the miners. He noticed this as a specimen of the exaggerations which had, through inadvertence or neglect, been made even by the commissioners themselves, and he did really hope that they would be careful how they acted on testimony too often so perverted. He could only add that he considered more time should have been given to digest the bill, and to bring it into operation. In the chimney-sweepers' case, as well as in the case of the factory children, they allowed several years to elapse before they brought the bill into operation, but in this case all this machinery was to be put in motion in some five or six months from the present time. Would it not be better to give further time to consider these clauses, and to confine the present operation of the law to its first province—that, namely, prohibiting female labour?

Mr. Brotherton could really see nothing in this bill that was at all unreasonable. Was it unreasonable to prevent children and boys from being employed from fourteen to sixteen hours a-day? In answer to those who would ask how these persons were to be employed, he would say that it *would be better to divide the labour,*

though that he admitted would be in itself an evil, than to continue a practice which was opposed to every principle of humanity. He had on a former occasion presented a petition from 1,062 colliers of Oldham, in which it was stated that the labour to which the women were subjected in the mines was not the worst of the evils, but that the indiscriminate mixture of the sexes and the conversation they were compelled to hear were still worse. It was always necessary, where strong self-interest operated to the continuation of abuse, that such abuse should be checked by legislative interference. He had therefore no hesitation in giving his support to the bill, and he thought the noble Lord by whom it was introduced deserved the thanks of his country.

Mr. Hawkes considered that the owners of the coal-mines in Staffordshire had a right to complain that time had not been afforded to them with respect to this measure. It would be very difficult without due consideration to prepare a bill which would operate satisfactorily in the various counties.

Lord Ashley read an extract of a letter, being only one of many such that he had received, in which the writer stated his full persuasion that the mine-owners had nothing to fear from the bill, whilst it held out every prospect of greatly improving both the moral and physical condition of the rising generation employed in the coal mines. It stated that this was an opinion in which all practical men, and most of the workmen, concurred, and concluded by expressing a hope that the bill would pass and become the law of the land.

Viscount Palmerston said, that in the course of the debate doubts had been expressed as to the fate of the bill in another place. He, however, sincerely hoped that it would be passed into law without any alteration of its essential principle, and there was no doubt that it would become so if it had the sincere support of Government elsewhere. A Minister of the Crown had promised the noble Lord by whom the bill had been introduced that it should have the support of the Government—not the mere ordinary support, but cordial, warm, and friendly assistance. He could scarcely think that that expression merely applied to the progress of the bill in that House. It would be nothing more than mockery if the promised support were not to be given elsewhere, and the conduct which Government intended to pursue with

respect to the measure was watched with great anxiety by those whose good opinion Ministers would be very sorry to lose.

Bill passed.

House adjourned.

# HOUSE OF COMMONS,

Wednesday, July 6, 1842.

MINUTES.] BILLS. 1<sup>o</sup>. Testimony Perpetuating; Fisheries Treaty; Slave Trade Treaties Continuation.

2<sup>o</sup>. Grand Jury Presentments (Ireland).

Committed.—London Bridge Approaches.

Reported.—Rivers (Ireland); Fisheries (Ireland).

3<sup>o</sup>. and passed:—Right of Voting (Dublin University); Dean Forest Ecclesiastical Districts; Sudbury Disfranchisement.

Private.—2<sup>o</sup>. Birmingham School.

Reported.—Manner's Estate; Brewood School Estate.

3<sup>o</sup>. and passed:—National Floating Breakwater Company.

PETITIONS PRESENTED. By Mr. Muntz, from the Birmingham Corporation, against the Birmingham School Bill.—By Mr. Beckett, from a Public Meeting at Leeds, for Inquiry into Public Distress.—By Mr. Walker, from the Bury Union, from Norwich; and by Sir H. Douglas, from the Chairman of the Board of Guardians, Liverpool, against the Poor-law Amendment Bill.—By the Marquess of Douro, from St. Andrews, Norwich, for Inquiry into the Instruction at Maynooth.—By Sir J. Hanmer, from Merchants and others, for Liquidation of their Claims for Seizures by the Danish Government.—By Mr. O. Smith, from Northampton, for an Amendment of the Municipal Corporations Act.—By Lord Stanley, from Deputies of Dissenting Congregations, for the Abolition of Church Rates.

## DISFRANCHISEMENT OF SUDBURY.]

On the Order of the Day for further proceeding with the third reading of the Sudbury Disfranchisement Bill,

Mr. Blackstone expressed his regret that he was obliged by a sense of duty to interfere with the progress of the adjourned debate which stood for that evening, while he stated his objections to this bill. As there was no probability, considering the period of the Session at which they had arrived, that the bill could become law in the present Session, he could have wished that the hon. Gentleman had consented to abandon the measure for the present, and to take the course which was adopted in the Southampton case—that of submitting the circumstances connected with the Sudbury election to a searching and rigorous inquiry. In the case of Southampton, it was proved that 5,000*l*. had been spent in a way that led to the conclusion that bribery had been extensively practised; but it was not, therefore, proposed that Southampton should be disfranchised. Instead of taking that step, the case was made the subject of solemn and serious inquiry. In the instance of Sudbury, not more than eight or ten cases

of actual bribery were established; and that, surely, was not a sufficient ground of disfranchisement. He had no doubt that bribery had taken place; he had no desire to conceal or to palliate the fact; and, therefore, a good *prima facie* case was made out for further investigation; but certainly such a case was not substantiated as warranted the immediate disfranchisement of the borough. That many of the electors were corrupt he believed; but it did not appear that a majority of the constituency were corrupt, and that had been held the only just ground for disfranchisement. In the cases of Cricklade and other boroughs, where it was proved that bribery had been practised to a very considerable extent; as a majority of the constituencies did not appear to have been corrupt, the House did not proceed to the extreme punishment of disfranchisement. He therefore should propose, admitting that a certain degree of corruption prevailed in the borough, not that it should be disfranchised, but that the right of voting should be extended to the hundred of Babergh, in the county of Suffolk. The population of that hundred amounted to 24,069, and he believed that if they extended the borough, as he desired, they would secure an addition to the present constituency of at least 1,000 voters. The evidence was not sufficiently strong to enable him to strike more voters off the register than the eight individuals distinctly proved to have been bribed, and the three who were clearly established to have been bribers. He regretted that this was the case, because probably there were many more voters implicated, and it would have been the wish of the House to punish all the guilty persons. Being unable to do that, however, their next object ought to be to join with him in shielding the innocent from receiving the punishment due to the guilty, and in this point of view, even if 200 of the electors were corrupt, they ought to consider how hardly this bill would bear upon the 400 against whom nothing was proved. But, even if these reasons were insufficient to induce the House to adopt his amendment, there were other strong objections to the bill, which should cause them to reject it. In the first place, there was no instance on record in which a total disfranchisement bill was passed which embodied no provision for the transferring of the right of representation to some other constituency.

If they adopted this measure, they would be absolutely lessening the number of Members in that House; and when they recollected that the relative number of representatives for England, Wales, Scotland, and Ireland, had been adjusted at the time of the passing of the Reform Act, he did think they ought to pause before they took a step so opposed to precedent. Now, if they adopted his amendment, this weighty objection would be overruled, and there was strong argument for its adoption in the fact that in no case in which the franchise had been extended had there been any allegations of bribery subsequent to such extension. Shoreham and East Retford were now supposed to be tolerably free from corrupt practices, neither were the class of boroughs under schedule B in the Reform Act liable to that imputation, except in an isolated case or two. Again, the class to whom he desired to extend the privilege of voting was a class generally admitted to be free from corruption. Let Gentlemen opposite, who delighted in calumniating the British farmer, say what they pleased, they at any rate could not say that they were guilty of corrupt practices. It was to agriculturists that he proposed to extend the right of voting, and their experience afforded every ground to believe that that right would be purely exercised. In favour of the extension of the franchise he might quote several opinions, but he would content himself with remarking that the right hon. Baronet at the head of the Government had on a former occasion expressed a strong opinion in favour of extension in preference to disfranchisement, and had cited Lord Chatham and Mr. Pitt to the same effect. Nothing doubting that the right hon. Baronet adhered to his former opinion, he confidently anticipated the support of her Majesty's Government on this occasion, and knowing that the House were anxious to go to other matters, he would no longer detain them than to move his amendment and clause, which were

"In line 14, after the words 'passing of this act,' to insert 'be held and considered as comprising within its limits the hundred of Babergh, in the county of Suffolk, and the hamlet of Ballingdon-cum-Brundon, in the county of Essex, and that the right of voting for any burgess or burgesses to serve in Parliament for the said borough of Sudbury be hereafter vested in those persons residing within the said hundred of Babergh, and the

said hamlet of Ballingdon-cum-Brundon, having the qualification required as electors for cities and boroughs under the act 2 William 4th, cap. 45.' And be it further enacted, that from and after the passing of this act, the following persons whose names are hereinafter inserted be disqualified from voting at all future elections for the borough of Sudbury, viz.: John Francis Sykes Gooday, William Warner, Thomas Goody, James Bell Johnson, Francis Making, James Brown, Thomas Brown, Charles King, Richard Steel, William Jolladay, Thomas Shelley, and Joseph Wheeler, jun."

Clause brought up, and read a first time.

On the question that the clause be read a second time,

Mr. *Redington* said, he should offer very few observations to the House on the amendment before them. He was astonished when an hon. Member charged him, and the committee generally, with being hostile to the borough of Sudbury, and he was the more astonished when he considered the quarter from which the charge now came, for if he recollected right, that hon. Member had himself not long back proposed to the House to disfranchise every freeman in that borough. The Sudbury freemen were in number 407; but now that the ardour of the hon. Gentleman had cooled, he only proposed to disfranchise eight of that number. The hon. Gentleman had quoted the right hon. Baronet as an authority in favour of extension of the franchise. He could quote the opinion of a right hon. Gentleman whose authority was much respected in that House, and who, upon the Grampound case, had expressed his conviction that the infection would remain, let them extend the franchise as they might. The hon. Member had also said that this bill was without a precedent. He begged leave to inform him that, with the exception of the substitution of "Sudbury" for "Stafford" it was an exact copy of the bill previously introduced for the disfranchisement of the last-named borough, by the right hon. Gentleman the Member for Buckingham, now one of the Secretaries of the Treasury. But the hon. Member further objected that only eight persons had been proved to have been bribed. When he said that, however, he should have added that only eight had been proved to have been bribed by name; for the fact was, that 200 persons were proved to have received bribes, but unfortunately the

committee were unable to get at the names of any of them, except those distinctly mentioned. With regard to the proposition to add the adjoining hundreds to the borough, he would merely ask why the corruption of Sudbury should confer a favour or benefit on the adjacent districts? But then the hon. Gentleman urged the peculiar purity of the inhabitants of those districts. Now, although he was no very great Reformer, if he looked abroad he would find plenty of freemen in different English counties whom it would be desirable to enfranchise, and who were, perhaps, quite as pure and immaculate as those inhabitants of Babergh whose peculiar virtue it was thus proposed to reward. For his own part, if those persons were so very pure, he should think he was doing them a much greater favour if he kept them free from the corruption of Sudbury, instead of plunging them into its very vortex. He should, therefore, decidedly object to the amendment, and he hoped the House, having already so generally sanctioned the bill, would not adopt any motion which would have the effect of impeding its progress.

The House divided;—Ayes 53; Noes 134; Majority 81.

#### List of the AYES.

Arkwright, G.	Hodgson, F.
Bailey, J.	Hughes, W. B.
Bailey, J. jun.	Hussey, T.
Baillie, H. J.	Inglis, Sir R. H.
Baldwin, B.	Jackson, J. D.
Beresford, Major	Ker, D. S.
Boldero, H. G.	Knightley, Sir C.
Borthwick, P.	Litton, E.
Broadley, H.	Lygon, hon. Gen.
Broadwood, H.	Mackenzie, T.
Brownrigg, J. S.	Mackinnon, W. A.
Buckley, E.	Manners, Lord C. S.
Cochrane, A.	Manners, Lord J.
Codrington, C. W.	Mundy, F. M.
D'Israeli, B.	Northland, Visct.
Duffield, T.	Pakington, J. S.
Dugdale, W. S.	Palmer, G.
Escott, B.	Repton, G. W. J.
Farnham, E. B.	Round, C. G.
Ferrand, W. B.	Sheppard, T.
Fitzroy, hon. H.	Stuart, H.
Forbes, W.	Taylor, J. A.
Fuller, A. E.	Vere, Sir C. B.
Goring, C.	Waddington, H. S.
Grimsditch, T.	Wodehouse, E.
Grogan, E.	TELLERS.
Halford, H.	Blackstone, W. S.
Henley, J. W.	Rushbrooke, Col.

#### List of the NOES.

Adderley, C. B.	Hawes, B.
Aldam, W.	Heathcoat, J.
Antrobus, E.	Hervey, Lord A.
Baird, W.	Hodgson, R.
Bannerman, A.	Hope, hon. C.
Baring, hon. W. B.	Howard, hn. C. W. G.
Baring, H. B.	Howick, Visct.
Barnard, E. G.	Hume, J.
Barneby, J.	Humphrey, Ald.
Berkeley, hon. C.	Hutt, W.
Berkeley, hon. Capt.	James, W.
Bernard, Visct.	Jolliffe, Sir W. G. H.
Brotherton, J.	Knight, H. G.
Browne, hon. W.	Lambton, H.
Bryan, G.	Langaton, J. H.
Butler, hon. Col.	Langaton, W. G.
Byng, G.	Layard, Capt.
Campbell, A.	Leader, J. T.
Cavendish, hon. C. C.	Lockhart, W.
Chapman, A.	Lowther, J. H.
Chapman, B.	Macnamara, Major
Childers, J. W.	Mainwaring, T.
Clerk, Sir G.	Miles, P. W. S.
Clive, E. B.	Morgan, O.
Cobden, R.	Muntz, G. F.*
Colborne, hn. W. N.R.	Murphy, F. S.
Colebrooke, Sir T. E.	Napier, Sir C.
Compton, H. C.	Norreys, Sir D. J.
Craig, W. G.	O'Brien, J.
Crawford, W. S.	O'Connell, J.
Cripps, W.	O'Connor, Don
Denison, E. B.	Ogle, S. C. H.
Dickinson, F. H.	Ord, W.
Divett, E.	Parker, J.
Douglas, Sir H.	Pechell, Capt.
Douglas, Sir C. E.	Pendarves, E. W. W.
Douglas, J. D. S.	Philips, M.
Duncan, G.	Plumridge, Capt.
Easthope, Sir J.	Praed, W. T.
Eastnor, Visct.	Protheroe, E.
Ebrington, Visct.	Ricardo, J. L.
Egerton, W. T.	Roebuck, J. A.
Ellice, rt. hon. E.	Russell, Lord J.
Eliot, Lord	Seale, Sir J. H.
Elphinstone, H.	Seymour, Lord
Ferguson, Sir R. A.	Sheil, rt. hon. R. L.
Fitzroy, Capt.	Smith, rt. hon. R. V.
Flower, Sir J.	Smyth, Sir H.
Forster, M.	Somerset, Lord G.
Fox, C. R.	Stanley, Lord
Gaskell, J. Milnes	Stansfield, W. R. C.
Gibson, T. M.	Stewart, P. M.
Gill, T.	Strutt, E.
Gordon, Lord F.	Thornely, T.
Goulburn, rt. hn. H.	Towneley, J.
Graham, rt. hn. Sir J.	Tufnell, H.
Greenall, P.	Vernon, G. H.
Greene, T.	Wakley, T.
Grey, rt. hn. Sir G.	Wall, C. B.
Hall, Sir B.	Wallace, R.
Hamilton, Lord C.	Ward, H. G.
Hampden, R.	Wilbraham, hon. R.B.
Harcourt, G. G.	Williams, W.
Hardy, J.	Wilshe, W.
Hastie, A.	Wood, C.

Worsley, Lord  
Wrightson, W. B.  
Yorke, H. R.  
Young, J.

TELLERS.  
Redington, T. N.  
Hill, Lord M.

Bill passed.

**ELECTION PROCEEDINGS COMMITTEE.]**  
On the Order of the Day for the adjourned debate on the subject of the report of the secret committee, and on the question that Mr. A. B. Cochrane, a Member of that House, be directed to attend and give evidence before the committee.

Mr. *Roebuck* said, that, seeing the hon. Member for Bridport in his place, he might state, that after what he understood had passed yesterday, he should consider it unnecessary to press this motion unless the hon. Member did not adhere to his announced intention of attending and giving evidence.

Mr. *Cochrane* said, that having looked at the precedents, and finding that they tended against the view he had originally taken, and being anxious not to detain the House unnecessarily, he had no objection to repeat that he intended to attend the committee.

Motion withdrawn.

**DISTRESS OF THE COUNTRY — ADJOURNED DEBATE.]** Mr. *W. Williams* said, he had had too many opportunities of remarking it not to be aware that there was in that House, at all times, a great disposition to vote the public money away, rather than to take the subject of the distress of the country under consideration. Yet, as the distress and suffering of the people of this country were admitted on all hands, he did not deem it necessary to offer an apology to the House for resuming the debate on the resolutions proposed by his hon. Friend the Member for Greenock (Mr. Wallace). The overwhelming distress, privation, and difficulty in which the people of this country (more especially the industrious and productive classes) were now placed, was not confined to any particular district of the country, or to any particular branch of trade; but it was daily spreading and extending, until at last it had nearly embraced every condition of the people, except those who lived upon the public taxes, and those who derived great advantages from the monopolies which had been created to maintain their interests. He was sorry *that it was his painful duty to bear his*

testimony in that House, in addition to that which had already been furnished from every part of the country, to the vast distress which prevailed in the city which he had the honour to represent (Coventry). Never was such a state of things known within the memory of any man—never had so many failures taken place—and never were the two important branches of trade carried on in the city of Coventry so overwhelmed, and the destitution of the working classes so great; and in proof of this he could cite many authorities in corroboration of this fact; but he would confine himself to an extract from a source which might be relied on. The writer declared that it was certain that a vast amount of untold distress prevailed amongst the working classes of Coventry, especially the watchmaking and the silk trades, whose appearance told with too much certainty their want of food. These persons were to be found whiling away their time in the streets by the hour, because they were unable to find employment. That the watch trade was as bad as it could be, and that it was expedient some means should be devised for collecting information, and embodying it in an authentic form, showing the necessity for relief, and thus leave the Legislature without a chance of pleading ignorance of the real state of the country. Now, on the night that this debate was introduced, he had heard the speeches of the right hon. Baronet the First Lord of the Treasury (Sir R. Peel), and of the noble Lord the Member for London (Lord J. Russell), they being the two leaders of the two great parties in that House. The noble Lord, while he admitted the existence of the distress, stated that at that period of the Session he was unprepared to enter into any consideration of the means of affording relief, save that of a reconsideration of the Corn-laws. The noble Lord on that occasion did not state to what extent, at the present time, he was prepared to carry the views which he entertained in regard to the Corn-laws; but if the noble Lord adhered to the proposition he had made last Session, which was, then, to reduce the duty on the importation of foreign corn to 8s., he would tell the noble Lord that if that proposition was carried into effect, it would afford little or no relief in the present state of the country. Had he indeed brought it forward four years ago, undoubtedly it might then

have given some relief; but since that period the evil had so much increased, that they must have recourse to measures of a much stronger character before relief could be given. He had heard the speech of the right hon. Baronet the First Lord of the Treasury with extreme sorrow, (for he certainly, for himself, was deeply anxious to give his support to the measures of the right hon. Baronet; that was to say, he was anxious the right hon. Baronet should introduce such measures as he thought he could conscientiously give his support to, because the right hon. Gentleman had the means to carry out his views—he had that power from the command which he had over a large majority, to carry out his views to the full extent of his wishes, and the right hon. Gentleman was the only head of a Government, of late years, who had been in that position,) he repeated he heard the right hon. Gentleman with sorrow, because he had admitted not only that deep distress did prevail over a great part of the country, but moreover the right hon. Baronet admitted the greatest part of the propositions embodied in the resolutions of the hon. Member for Greenock, namely—

“That the trades and manufactures of this country are labouring under great embarrassment and difficulties; that the industrious classes are also suffering many privations and severe distress; that this state of things has been gradually advancing for several years past, and is now extending in a most alarming degree.”

To all this the right hon. Baronet admitted his readiness to give his assent. Now he thought these were statements of such a character as to call upon any Government to take them into their immediate consideration, with a view of discovering, if not some immediate relief, at least some means of alleviating the present distress. The right hon. Baronet said, on the 1st of July, that it was too late, and that they were too advanced in the Session to take the great and overwhelming distress into consideration. He should have expected that no period could have been too late, when such evils existed, to take measures to devise means of relief. But what was the argument of the right hon. Baronet? Why, he said, “My measures are the means of relief.” Now, what were those remedial measures? Why, the first of them was that of the new Corn-law, which would make the starving mil-

lions of this country pay a sum of 50,000,000*l.* more for their bread than what the people on the continent and America paid for it, with whom they had to compete. The next measure which the right hon. Baronet had proposed to alleviate the distress of the people was the Income-tax? Yes, the Income-tax! which took 4,000,000*l.* at least, from the oppressed and destitute people. The next measure for affording relief was the new tariff. He was quite willing to admit that if our trade were in an ordinary degree of pressure, the new tariff would have had the effect of giving great relief in some branches of trade; but in the present state of distress he did not think it would give any sensible relief to the suffering classes. Then what was the next proposition of the right hon. Baronet? Why, the measure for the amendment of the Poor-law, which was to continue in office the Poor-law commissioners, &c., at a cost of 20,000*l.* a year. When they saw at the head of affairs the right hon. Baronet—when they saw the leaders of the two great parties admitting this distress with so much indifference, no man could deny that it must be indifference to the prevailing distress when such inefficient means as those which had been proposed by the noble Lord and the right hon. Baronet had been resorted to. All that the motion of his hon. Friend went to was inquiry. The right hon. Baronet, on a former evening, had complained of the hon. Member for Whitehaven that he had not suggested any means of relief. Now, he could tell the right hon. Baronet, the First Lord of the Treasury, he had a plan for relieving the country from the present pressure and distress, though he knew the Government would not adopt it; and he was afraid that he should not have the support of the right hon. Baronet the Home Secretary (Sir James Graham), though he travelled very little out of the doctrines which that right hon. Gentleman had himself broached. His suggestion was, first, that they should admit corn of every description and wheat into this country free of any duty—that they should take off the duty on the raw material on two most important branches of our trade, namely, cotton and silk. He was quite aware that there were many hon. Gentlemen who had given their consideration to the subject on that side of the House (the Opposition), who were of opinion that if



they entirely repealed the Corn-laws, and removed all impediments to the admission of corn or meal into this country, they would remove all the evils which now overwhelmed the country; but he did not think they went far enough, for his opinion went much further. He should propose the actual repeal of the malt-tax (for he had heard the right hon. Baronet in that House admit that beer was a necessary of life; he should further propose to reduce the duty on sugar 3*d.* per lb. on colonial, leaving it to be determined by the House whether they would give some protection to sugar of colonial growth. For his own part, he should have no objection to grant a protection amounting to 15 per cent. He would further reduce the duty on coffee 3*d.* per lb. and on tea 30 per cent. By adopting this course, the cost of living would be so much reduced, that the same amount of income would go to a further extent than one-third more would. He would therefore propose, in accordance with the suggestion which had been thrown out by the right hon. Baronet the Secretary for the Home Department, to take off one-third from all payments out of the Exchequer, and from imposts of every kind. He would take off nothing from the pay of the common sailor, because he was not overpaid, and because he was the bulwark of the strength of the country; he would not reduce the pay of the common soldier, because that would be an experiment which it would not be desirable to try. These were the only exceptions he would make. He would take from every body else one-third from all payments, and that would give the Government a larger amount than they would derive from any taxation which he proposed to take off. But if that were not sufficient, let it be recollected that the present salaries and payments, which were made out of taxes of the country, were contracted for and made at a period of the war, when the country paid the parties in a depreciated currency, as the right hon. Baronet said, at one-third less, but he contended it was more than that. If her Majesty's Government would adopt his suggestions, he would venture to assert that not only would it give relief to the present pressure of distress, but it would infuse amongst the manufacturing and working classes an energy and action which would remove the present disastrous position in which they were placed,

and would give them work and such remuneration for their labour as should enable them to procure, as they ought to do, not only the necessaries but the comforts of life. Perhaps many hon. Gentlemen would be astonished when he stated that 100,000,000*l.* sterling were taken out of the pockets of the people in every way. But looking at the amount of the present taxation, which was 55,000,000*l.* a year, the amount of Church-rates, tithes, fees for births, baptisms, marriages, and funerals,—looking also to the amount of poor-rates, borough-rates, county-rates, and above all, looking to the amount of taxation which was paid by the working millions of the people in this country to the landed aristocracy—looking to the taxes which were paid to another class of the aristocracy, he meant the West-India planters—when he looked at all these things he could not wonder at the present distress and the present state of things. He felt persuaded, that unless the Legislature set about relieving these burdens, they would produce a state of things which it would be frightful to contemplate. We actually paid considerably more taxation on coal, wood, and iron now, than we did during the war. Where one yard of cotton goods would have paid taxation then, we had now to pay four; and, as respected the wages of labour, we had now to pay two days' wages for taxation, when we formerly paid one. He believed this increase of taxation, which had not the less taken place because in figures it would appear to have diminished, was mainly to be attributed to the Currency Bill of 1819; and let him tell them that measure then introduced by the right hon. Baronet (Sir R. Peel) had not yet done its work, for it was the foundation of the Corn-laws, and all the other evils with which the country was now afflicted. He believed they were all to be attributed to the increased value given to money by that bill. On referring to the speech of the Secretary of State for the Home Department, on Friday night, he could not but lament the great change that had taken place in the right hon. Gentleman's opinions since the publication of his (Sir J. Graham's) celebrated pamphlet, entitled "Corn and Currency." The right hon. Gentleman was then of opinion that

"The wisest course to be adopted by the landowners was to consent to the revision of

the Corn-laws, and to a free importation at a moderate protecting duty."

[*Sir J. Graham*: Of 15s.] No, nothing was mentioned about 15s., for the right hon. Gentleman proceeded:—

"But at the same time to force also a revision of all other monopolies, and to carry a reduction of taxation to a large amount: and inasmuch as *Sir R. Peel's* bill in full operation would be a bonus to annuitants of 30 per cent., he contended boldly both for the equity and necessity of imposing a direct tax to a considerable amount on all annuities charged on land and payable out of the Exchequer."

He was sorry the right hon. Gentleman had abandoned those opinions, but whether or not he would introduce measures founded on those opinions, he felt assured the time would come when some one else would introduce them, and force them through the House. The right hon. Baronet himself had seen this with prophetic foresight, for the work he had alluded to contained this remarkable expression—an expression to which he entreated the serious attention of the House.

"Whenever this country presents the spectacle of millions supplicating for bread, then will the people sweep away titles, pensions, and honours."

The right hon. Baronet was no ordinary authority, and, therefore, on this he felt entitled to advise him at once to take in hand the distress which already realised the picture he had drawn, and apply to it a remedy, rather than to repress any expression of discontent which, nevertheless, unless that remedy were found, might justly be apprehended as the prelude of the catastrophe he deprecated. On these grounds he should certainly support the motion of his hon. Friend the Member for Greenock, being convinced that unless the House should sanction such a proposition, the time was not far distant when measures still more obnoxious to their feelings would be forced upon them than those which were now absolutely necessary to relieve the distresses of the people.

*Mr. Aldam*: Although the object he had in view was to relate as briefly as he could to the House the distress of the large manufacturing constituency with which he was connected, yet there were one or two points which had been alluded to in the course of the debate on which he should wish briefly to comment. The hon. Member for Shrewsbury had attributed the distress of the woollen districts to the want

of a commercial treaty with France. Now he could tell the hon. Member that the woollen manufacturers of England had nothing to hope from France, but everything to fear from her; that her exports to the principal nations were English and French woollens were in competition quadrupled in the last seven years, while our own retrograded, or remained stationary. He meant not to depreciate the value of commercial treaties. If by a commercial treaty you can get free intercourse on both sides, an important object was gained; but though reciprocal free intercourse was most to be desired, he firmly believed that a liberal policy on one side was preferable to mutual restrictions. He knew it was said, in the language of the old political economists, that this one-sided system turned the balance of trade against you. He thought experience showed that commerce was very capable of finding advantageous channels for itself. What was the state of your trade with Russia? She exported six or seven millions to England, and took in return one or two; but nobody will say that the commerce of Russia was disadvantageous to England. Were a more liberal Corn-law established, it was possible that the continent might export into England far more than she received. She might insist on protecting her native manufactures, but send us largely of her grain, the balance would soon be restored by an increase in our exports to Brazil and America—in other words, we should pay for the corn of Germany with cotton, sugar, and similar produce. It was his belief, that for every million's worth of foreign corn imported into this country, we should so far increase the manufactures of this country by an increase of exports, as would directly or indirectly tend to the consumption of so much corn in addition to what would otherwise have been consumed. But this question of increased exports under the pressure of distress, was used as an argument against its existence. Now, in truth, it was a clear evidence of it. From the distress of the people their means of purchasing manufactures had decreased, the home market was contracted, and goods were forced upon the foreign market, as the only outlet, at ruinously low prices. Hence the glut at every great emporium, which threw a stronger gloom upon our prospects—for it appeared that the badness of the Home market had so far caused the foreign market to be

overdone, that almost our only hope of relief must be in the revival of demand at home. The hon. Member then read the following communications which he had received:—The first was a letter respecting the state of Wortley, near Leeds, dated June 29, 1842—

“The state of trade and of the working classes in this village is deplorable. It is manifest we are losing, or have almost lost, the fine cloth trade. The manufacturers of this village have made a finer cloth than in some of the neighbouring villages, and for the last four or five years their trade has been gradually declining—the masters failing in business, the men thrown out of work: while at intervals a considerable trade has been carried on in the neighbouring villages, here nothing has been done. At present we are as bad, or even worse, than at the corresponding period of last year—less hands employed. It may be safely asserted, that for the last twelve months, there has not been one in five of the working classes that had half-work; a great part have had no work at all, and the remainder working seven or ten days, idle three or four weeks. You may see them loitering in the lanes, looking on where any kind of labour is going on, anxious to earn a shilling. Many of industrious habits, of good morals, and of a manly independent spirit, are driven, as a last resource, to parish relief. As to wages, that is not the question; work is what is craved for. Wages rest in the conscience of the master; he can get his work done for anything he can find in his heart to offer. A few years ago, there were, in this town, a good number of small cloth-manufacturers; now they are nearly all gone down and many of them are wanting work and food.”

The second was a letter from a cloth-manufacturing firm, in Leeds, dated the 8th of June.

“We can state for ourselves that for some time past we have been getting from bad to worse, and it is now impossible for us to manufacture fine and middling qualities of woollen cloth to sell per first cost and charges. The continental manufacturers are beating us out of many foreign markets. Their manufactures are fully occupied, and extending themselves, we are informed. The manufacturers in this country have been carrying on their concerns generally at a loss for some time. They and the wool importers have suffered very severely for the last two years. For ourselves, we are curtailing weekly, having dismissed eight or ten hands some weeks past, and we see no alternative but continuing the same course for some time to come. Instead of working both our mills full time, as we have been accustomed to do for many years past, we shall now be working only half time, and consequently, paying only one-half the usual amount of wages. The hands dismissed have

very little chance of finding other employment, and those only partially employed must suffer considerably. In cloth districts about 11,000 hands in manufacture of cloth for Portugal four years since, now 500. From 1838 to December, 1841, in worsted trade there became insolvent nine houses, 457,000*l.* liabilities; sixteen woolstaplers, 175,000*l.*; in woollen trade thirty-nine houses 553,000*l.*; total 1,185,000*l.* Average state 6*s.* 8*d.*; real 5*s.* Whole liabilities of persons who have failed in Leeds and the adjoining villages about 2,000,000*l.* in four years.”

Letter on woollen trade of Leeds, dated June 27:—

“I come to the conclusion that the woollen trade has become worse since Christmas on these data. As to merchants, many supposed solvent at Christmas have since failed. As to really solvent parties, the returns for the last six months have been on so contracted a scale, the profits so small, and the amount of insolvency among the retail trade, especially in Ireland, so great, that I am convinced few, if any, are as rich now as at Christmas. Capital is diminishing daily by a slow but fatal process, that no prudence or forethought can prevent, while the present paralysis remains on our industry. As to manufacturers, they are daily losing; the smaller men are becoming workmen or paupers; the larger, such as mill-owners or shareholders in mills, cannot make the mills pay. The charges eat up all the profit on the present scale of working (say not more than three days per week), and they are daily becoming more embarrassed and impoverished. The dyers are ill employed; the finishers worse than ever. I do not think the finishing machinery of the town and neighbourhood is wrought two and a-half days per week.”

Letter on machine-making trade, dated June 17:—

“From the commencement of 1840 we consider the machine-making business has been gradually going down, and for the last twelve months with accelerated speed. At the former period we were paying about 1,000*l.* per month in wages, and we are now paying only 500*l.*, with a prospect of its going still greater less. Never, during its history, has machine-making been at so low an ebb; many large works are going on at a ruinous rate of prices, in the hope that things may alter before they are entirely ruined. If summer pass without amendment, as we fear, the approach of winter will be awful.”

Letter of a machine-manufacturer, dated June 29, 1842:—

“He employs 150 people less than in 1836. Employs at present 400 artisans in the manufacture of flax and other machinery, but beyond the latter end of next month should things continue as at present, will have to dismiss

200 or 300. The machine makers in general are not doing more than one quarter what they were doing three years ago. Prices have declined from 20 to 25 per cent. in the last six months. There cannot be less than 2,000 workmen out of employment at this moment, that have hitherto been employed in machine-making, generally in the receipt of good wages. Our most talented artisans have many of them emigrated to the United States. I fear the coming winter, and am apprehensive, from a probable cessation of business, that we shall be obliged to discharge nearly the whole of our people; for never at any former period did the business of machine-making present so lowering an aspect as at present."

Account of the state of the woollen districts, dated June 28—

"In the blanket trade the employment will be about two-thirds; in the shoddy trade the people are half employed. In Purdrey, Idles, and other villages in the woollen trade, the employment does not exceed one-fourth, or a day and a half per week. In Leeds the woollen trade is as bad as it can be. The smaller manufacturers are sinking into workmen—discouragement and gloomy apprehension are nearly universal. In our mills the absence of profit, and the expense of our establishments, is fast eating up capital. The people live, some on parish relief, some on their friends, many by begging, the more respectable by credit of the shopkeepers. Taking into account the woollen, worsted, and flax trades, the amount of wages paid in Leeds was 200,000*l.* per annum in 1841 less than in 1835 and 1836. There had been an average fall of wages of 20 per cent. in the years 1839 to 1841, as compared with the years from 1833 to 1835. Taking into account the fall of wages and diminution of employment, the earnings of the operatives have diminished at least 50 per cent."

He would now proceed to lay before the House some particulars respecting the shopkeepers in the town of Leeds. The hon. Member read the following statement:—

"State of shopkeepers in December, 1841: Of tea-dealers and grocers of the first class, having shops in the principal streets, fifty-six have failed and gone out of business, or died, leaving no property behind; fifteen have gone out of business, losing it; and only twelve remain who have been in the trade eight years and have not failed. Purchases made by the second class of shopkeepers are greatly diminished. Where formerly they ordered stones, they now order pounds—where hundred weights, stones."

A meeting of shopkeepers of Leeds was held on the 29th of last month. At this

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meeting, which partook in no respect of a party character, for it was convened upon a requisition signed half by Conservatives and half by Liberals, the most startling statements were made respecting the extent to which distress had proceeded in Leeds. Mr. Yewdale, one of the speakers at the meeting, said—

"The state of depression at present differed materially from any that had previously been experienced. It differed from all that had gone before it; and the retrospect and the prospect presented a gloomy appearance astounding to the most able. He could appeal to others who had been in the trade as long as himself, whether there had been anything like the depression of the last three years, and more especially of the last twelve months. Former depressions had lasted six, twelve, and eighteen months. What distinguished the present was its long continuance: it had lasted three years, and was at present worse than at any previous period. In former periods of distress, if the woollen trade were depressed, the flax would be prosperous; but the present depression extends to every branch of trade—machine makers, masons, joiners, and bricklayers—to whom former distress had not extended, even in circumstances of extreme suffering. The shambles, which used to be crowded with working-men purchasing meat, were now ill attended; and the stalls were scantily supplied. The last resort of a working-man, when he cannot obtain substantial food, was tea and coffee. The revenue arising from tea and coffee was not a criterion of the prosperity of the country; it proved the great number of tea and coffee dinners. The working classes were sinking in despondency, though the number applying for relief at the workhouse board was greater than at any former period, there was a quietness that was unprecedented, they seemed to be breaking in heart, thousands of them are seeking to emigrate. Mr. Child, a butcher, believed from calculations there was one-third or one-fourth the less meat killed, and there is this striking fact—at present the best pieces realise high prices, the inferior very low; a strong proof that the working classes were much less able to purchase meat than formerly. A boot and shoemaker had taken in 1839, 79*l.* a week; 1840, 75*l.*; 1841, 47*l.* 18*s.*; at present 40*l.* Mr. Holmes, a linendraper, keeping articles used principally by the working classes, said, that, until four years ago, it was usual to sell pieces of linen, known as Knaresborough cloth, for family use. The piece would cost from 14*s.* to 18*s.*, now they never sold a piece, a few yards only for the men, and cotton alone was used by women and children. Instead of rawlings from 8*d.* to 11*d.* a yard, they sell cottons for the same purpose at 2*d.* to 4*d.* A flannel of from 12*d.* to 15*d.* of which they used to sell from 50 yards to 100 yards

weekly, had been replaced by a low woolsey, of from 6d. to 10d. a yard. Several other instances similar. Instead of bed tick they sold barding wrappers, one-sixth the price. The demand for their goods had been decreasing. Goods had on the whole lowered 20 per cent. to them, and 25 to the public, but expenses had not diminished in the same proportion."

He would now communicate to the House some details relative to the poor in Leeds. A gentleman named Holdforth had furnished him with the following account in January, 1842:—

"I took the first street near my works, intending to go through others in rotation, but I found the task too great, and confined myself to Thundall Row which consists of thirty-four houses. Of these nine are unoccupied, and the remaining twenty-five are inhabited by 115 miserable beings, in the most appalling state of destitution, without any covering but remnants of pack-sheets, and straw broken like chaff from long usage. Many of the families had nothing eatable in the house. One family only had a loaf of bread; one twenty potatoes; and another five. One family had existed for two or three days on frosted or rotten potatoes, found on the wharf where a vessel of potatoes had been unloaded. Eight families, consisting of sixty-five persons, had no work or income."

The next passage he would read was an extract from a letter on the state of the poor at present:—

"The operative class is sinking in despair and wretchedness. With less than half the average earnings of from 1830 to 1836, all their little savings spent, their furniture and clothes pledged, with impaired physical strength and fainting hearts, they are looking forward to the winter with dismay. I speak from personal experience, when I say there is a manifest alteration in the physical appearance of this class in the last twelve months. There is deficient sustenance written in their haggard countenances. The next winter will sweep the famine-smitten labourer as by a pestilence, if no change take place in their condition, and I see no prospect of any but for the worse. One man who was clean and neat in his appearance, but bore the marks of privation palpably written on his countenance, asked me if I thought the times would improve? I said, 'Not this year, I fear.' 'Why, then,' he said, 'I shall be under the sod. I cannot stand my present privations. I am hoping for work, but I can assure you I have been two days together, within the last six months, without tasting food, and I find that within me that says I cannot bear up at my time of life against this state of things.'"

The hon. Member next read the following statement:—

"Number of persons receiving parish relief in the township of Leeds (population about 85,000), in the quarters ending April 1,—

1839	..	..	..	2,143
1840	..	..	..	2,212
1841	..	..	..	2,670
1842	..	..	..	4,025."

In addition to this, no less than 12,000 persons were relieved during the winter and spring, out of a charitable fund subscribed for that purpose. Of those, only 2,000 had since obtained work, leaving 10,000 distressed. A letter which I have received from Mr. Baines, the late respected representative of the borough, says:—

"Since the relief society terminated its labours, there has been no improvement in the condition of the distressed poor but that to which I adverted; nor is there any present prospect of any amelioration of their condition. The winter is looked forward to with painful apprehension by all considerate persons. The employers are sinking rapidly into decay in large numbers, and the means of employment weekly reduced."

These details illustrated extremely well the way in which the frightful commercial depression under which the country now laboured had been brought about. A bad harvest occurred, the Corn-law did not allow the deficiency to be supplied until the price of wheat rose far above an average, the working classes, who were the great consumers of manufactures as well as of food, found it necessary to economise by contracting their expenditure on manufactures, in order to purchase food. The manufacturers of every description, not merely of the great staples of the country, but of everything in which labour was employed, finding the demand for their goods to fall off, diminished production, less wages were paid, the poor must economise further, the demand for manufactures further fell off, until by this constant process of action and reaction, the country was brought into its present calamitous state. But a price of food which would have been moderate when this process commenced, became a famine price ere it had terminated; and a very great temporary cheapness of provisions alone could enable the country to recover itself. He believed that this country had not the means of recovering herself within herself. Were the coming harvest to be abundant, instead of merely moderate, which was all we had reason to expect, it would not suffice to revive the industry of this coun-

try. A stimulus must be applied from without. Cheapness of food would be produced by unrestricted temporary importation from America, and more especially, employment would be provided by the goods which would be exported in return for the wheat introduced; and the poor, by being enabled again to purchase manufactures, would restore that great home market, the ruin of which was the cause of our present misfortunes. Gentlemen on that side of the House were taunted with dwelling on the distress of the country, without pointing to a remedy. Now, without advocating in the present debate the permanent repeal of the Corn-laws, it was possible to point out a temporary remedy for a temporary distress. Open the ports for six months. No difficulty arising out of the currency intervenes. The coffers of the Bank are well supplied with gold. Were three or four millions of quarters of wheat paid for in specie, no disaster would follow. But, in fact, a large proportion of the corn imported being paid for in goods, the manufacture of them would furnish employment. This employment, and a cheapening of food would extend the home market, and the downward motion of the last four years would be reversed. It would appear as if Providence had furnished us the means of applying this remedy under the most favourable circumstances. An abundant harvest had occurred in America. It was said that near 3,000,000 of quarters of grain could be spared for exportation—from the nature of our trade with that country, a great part of this must be paid for in British goods—employment would be afforded—the impulse wanted to set our commercial machinery again in motion, given—and a rapid recovery reasonably anticipated. It was not safe to leave the present distress unalleviated; the patience of the people might be exhausted. The right hon. Baronet must recollect the difficulty of governing the country in 1829, after several years of bad harvests and commercial difficulties, but our present circumstances were in every respect worse. He anticipated no violent subversion of the existing order of things; but common humanity required something to be done to relieve our suffering fellow-men, and to prevent the melancholy consequences which must ensue. He would conclude by reading a resolution which was agreed

to at the meeting held at Leeds on the 29th of last month:—

“That this meeting, solemnly believing that the safety and well-being of the community will be seriously endangered by the much longer continuance of the existing state of things, turns with the utmost anxiety to the Legislature, beseeching it most earnestly to institute an immediate and searching inquiry as to the extent of the distress among the manufacturing population, in order to ascertain the causes thereof, and to the instant application of such remedies as its wisdom and experience may suggest.”

Sir B. Hall could bear testimony to the extreme distress which prevailed in the borough of Marylebone. This was a matter which could easily be tested by the number of applications for parochial relief. In a report published by one of the parochial committees of Marylebone, it was stated that

“The demand for parochial relief in any given year appears to be regulated more by the prices of the preceding year than of the current year, and this appears accounted for by the fact that the quantity of employment and the state of trade is influenced more by the character of the preceding than of any current year. Thus in 1835 the contracts were made at the lowest price, but in 1836 we had the smallest number of applicants, and the smallest sum was paid in that year, establishing the above principle. Again, the price of wheat from year to year appears to regulate not only the amount paid for provisions, but also the number of paupers depending on the fund.”

This would be apparent from the following statement:—

Price of Wheat.				No. of Paupers.	
	s.	d.			
1834 ....	46	2	1835 .....	3,537	
1835 ....	39	4	1836 .....	3,295	
1836 ....	48	6	1837 .....	3,353	
1837 ....	55	10	1838 .....	3,478	
1838 ....	64	7	1839 .....	3,836	
1839 ....	70	8	1840 .....	4,124	
1840 ....	66	4	1841 .....	5,679	

At the present time the number of paupers was 7,091, being one in twenty of the population. This was an extraordinary state of things to be existing in the wealthiest parish of the metropolis, one in which the aristocracy took up their residence, and which exhibited every superficial indication of prosperity. It was now twelve months since the right hon. Baronet the Member for Tamworth must have been certain, from the turn which the elections were taking, that he and his friends would be called to power, and what had

the right hon. Baronet done to relieve the country from its present difficulties? As a striking proof of the extent to which distress now prevailed, he would state that in many instances the pawnbrokers in the metropolis had advanced the whole of their capital upon pledges, and were unable to receive any more. In other cases, pawnbrokers who used to advance 3*d.* per yard on cotton goods would now lend only 1*d.*, because the goods could be bought at 2*d.* a yard. It was not the lower classes alone who were suffering; the shopkeepers were involved in almost equal distress. He was necessarily acquainted with many tradesmen of Marylebone; he had frequent conversations with them, and they all concurred in assuring him that they never knew a time when there was so little money, and when there was so little punctuality in payments. Persons who had been in very good business now felt the greatest distress, and looked forward with dismay to the coming winter. He understood that it was not likely the harvest would be a plentiful one. If, as he understood to be the case, the breadth of land sown with wheat this year was only two-thirds of the usual quantity, it was impossible to expect that anything could relieve the country short of the unrestricted importation of foreign corn. The only good resulting from the alteration in the Corn-laws made by the Government was this, it had effected a change. It was no longer urged, as it used to be, that the Corn-laws were to continue as unchangeable as those of the Medes and Persians. He hoped that now the laws had begun to be tampered with, the people would unite in demanding their total repeal, or a merely nominal duty. Government was blameable for not bringing forward some measure calculated to alleviate the distress which they acknowledged to exist. Did the right hon. Baronet expect that the new tariff would cause the slightest reduction in the prices of meat, cheese, butter, and other necessaries of life? His opinion was that it would not. The only other important measure introduced by the Government besides the new Corn-bill and the tariff, was the Income-tax. That tax would be severely felt in the metropolis. Persons inclined to act fraudulently would make false returns, whilst the honest trader would make true ones. The returns would become known, and the *fraudulent parties* would benefit at the ex-

pense of those who were inclined to act honestly.

Mr. Brotherton said, it was his painful duty to support the statement which had been made by hon. Members who had preceded him in the debate, with regard to the depression of trade and the alarming increase of destitution and misery in the manufacturing districts. In the borough with which he was connected, the distress was greater than at any former period. Trade had fallen off, profits had been reduced, taxes had increased, and confidence was nearly destroyed. The manufacturers were daily sinking, goods were lower in price than was ever before known, tradesmen were nearly ruined, and shopkeepers of every description were suffering and being reduced almost to labourers. Their receipts were continually diminishing, some only taking half and others not one third of what they did two years ago. Fifty shopkeepers in Salford received in 1839, 197,700*l.*, and in 1841 only 130,100*l.*; difference 67,600*l.* During the last six months they have been going worse and worse. They keep selling in smaller quantities, and taking less money, selling one pennyworth of bread, bacon, meal, potatoes, &c. It was lately stated, at a public meeting of shopkeepers at Manchester, that some of them did not receive more than a few shillings in the course of the week. The number of persons relieved in the Salford union for the half year ending the 25th of December, 1841, was 3,748. For the half year ending the 24th June, the number was 6,576, being an increase of 2,828. In 1836 the number of paupers was not one third of the present number. He said he had received a letter that morning, from one of the guardians, who said,—

“We are now increasing more than 180 paupers per week. I assure you it is most distressing to see those who would otherwise be able-bodied men so reduced for want of sufficient food being poor emaciated creatures, that if they could now get work it is doubtful if they would be able to do it. When they come before the board of guardians they say they have sold all their furniture, and pledged every article of clothing, before they came for relief. Friday was the first relief day in this quarter; it occupied two boards from half-past nine in the morning till four in the afternoon. The property in the town, particularly cottage property, is dreadfully depreciated. There were in November last 64 mills, dyehouses, and workshops, and 2,030 empty houses in Salford, the rental of which was

27,852*l.* per annum—being one out of every six houses. There never was more general distress and want of employment among the working classes. One fourth of the dyers are out of employ. Of bricklayers, only one in six is employed. There never were more printers out of work. Large numbers of mechanics and millwrights are unemployed. Boot and shoemakers have scarcely anything to do. Many spinners out of work, and weavers, are absolutely starving—dying off. Several mills discharging hundreds of hands. The price of weaving a piece of second 74 calico, at Colne, in 1831, was 1*s.* 10½*d.*—at the present time it is not more than 9*d.* The prices of spinning have been greatly reduced. The same quantity of work for which 1*s.* 3*d.* was given in 1831 is now only 9*d.*; that for which 2*s.* 2*d.* was paid is reduced to 1*s.* 2*d.* The same quantity of coarse yarn for which 3*s.* 9*d.* was paid for spinning in 1831 is now spun for 1*s.* 9*d.* Spinners who formerly earned 30*s.* a week do not now earn more than 20*s.*

There was another illustration of the present distress in the employment given by spinning establishments, and which showed the effect of improvements in machinery in throwing people out of employment. There were 75 spinning establishments in Manchester, which employed, in 1829, 2,650 men to work 1,495,358 spindles. In 1841, only 1,037 men were employed to work 1,431,619 spindles. Thus 1,613 men spinners were thrown out of employment. In one mill there were employed in 1829, 70 men spinners and 230 children, working 43,680 spindles. In 1841 there were only 26 spinners and 134 children, or young persons, to work 43,796 spindles, being a decrease of 44 men and 96 children. In another mill, one man now does what four were employed to do in 1829. Yet without these improvements in machinery trade could not continue to exist. Trade could not go on without reduced prices, and there could not be low prices without those inventions which displaced the labour of men. The cause of the present distress was said by some to be joint-stock banks, and by others machinery; but it was felt deeply where joint-stock banks were not known, and where machinery had not been introduced. The real cause was that which was stated by the hon. Member for Leeds,—dear food. The cost of bread alone, during the years 1838, 1839, 1840, and 1841, was 80,000,000*l.* more than in the four years of 1833, 1834, 1835, and 1836. The withdrawal of 20,000,000*l.* a year from other sources, and spending it

in food alone, must diminish the trade and the revenue of the country. When food was cheap, trade flourished, employment was plentiful, and the revenue increased. When the greatest part of the earnings of the working-man were laid out in food, they had nothing left to buy clothing, furniture, or other things, and the manufacture of those articles consequently declined. Hence there was a falling off in the home trade, which was considered the best, and this could only be cured by cheap food—with cheap food the revenue was prosperous. In 1833, 1834, 1835, and 1836, there was a surplus revenue of 6,871,000*l.* with cheap food. In 1838, 1839, 1840, and 1841, there was a deficiency of 5,551,000*l.*—years of dear food. The question was often asked if the Corn-law was to be immediately repealed, would it revive trade? In his opinion it would. It would instantly give hope and confidence. Stocks of goods would be sold in exchange for corn. The corn trade would be taken out of the hands of speculators and gamblers, and the foundation of regular trade would be laid. The right hon. Baronet opposite, on a late occasion, seemed to be surprised that new mills were opened in the midst of general distress. This would always happen. New mills with the last improvements in machinery could gain a profit when the old ones could not. Dear bread stimulated invention, and compelled manufacturers to adopt improvements in machinery which dispensed with manual labour. It might be asked if the repeal of the Corn-law was to extend our foreign trade how did it happen that, in 1833, 1834, 1835, and 1836, when little corn was imported, we had good trade? There was a distinction to be kept in mind with regard to foreign and home demand. Cheap food and good trade went together. When food was cheap, the people had money to purchase clothing and furniture. This made a good home trade, and the manufacturer was not obliged to sacrifice to the foreigner. When food was dear, the home trade was destroyed, all being required for food. When food was cheap, it approached nearer to continental prices, and helped us better to compete with foreigners. The class legislation which had gone on so long had favoured agriculture at the expense of manufactures. The comparative prosperity of the two interests at present might be seen from the deposits



in the savings-banks. The population of Berkshire, Devonshire, Dorsetshire, Essex, and Gloucestershire was 1,645,002; and the amount of money deposited in savings-banks was 3,335,712: or more than 40s. per head. The population of Lancashire was 1,667,074, and the amount deposited was 1,665,174*l.* or less than 20s. per head. The five counties of Cornwall, Hampshire, Herefordshire, Kent and Shropshire, had a population of 1,633,822; the amount of deposits was 2,548,867*l.*; or 1*l.* 11s. per head. The distress of the manufacturing population could not be without remedy, for in other countries the same thing did not exist. He would read to the House an extract from a letter which he received a few days ago from an artisan, who resided seven years in Belgium. He said—

“It is in articles of hand-labour alone that the Belgians supersede us: and that is on account of the cheapness and abundance of provisions, and the low rate of rents, together with the cheapness of land. These things united, enable them to work for very low wages, and at the same time to procure more of the necessities and comforts of life than a great majority of the working classes of England can possibly do.”

He further said—

“The working classes of the continent of Europe are infinitely more happy than those of England; their wants are much more attended to by their respective governments, and even their pleasures come in for a large share of the attention of the authorities. During a residence of seven years among the manufacturing classes of Belgium, I neither saw or heard tell of a Belgian in real distress. The beggars, even, will tell you they would not leave their native country for any other in the world. Here, in England, people are starving to death, and hundreds of thousands wishing for the means to emigrate.”

The hon. Member concluded with saying he would cordially support the motion.

Mr. James had heard but three remedial measures proposed for the distresses of the country. The first was to return to the system of paper currency; the second was to abolish all Corn-laws; and the third—that proposed by the hon. Member for Coventry—to take away at once one-third of every man's property, including the West-India interest, which the hon. Member might have left alone, for that interest had no property left. As to the first, a return to a paper currency, that might very probably promote commercial

and manufacturing prosperity for the moment, but that prosperity would be short-lived and delusive, and in the end aggravate those evils which it was the object to remedy. Not agreeing with the hon. Member for Whitehaven that it would be desirable to depreciate the currency and to reduce the shilling—[Mr. Attwood: “No, no!”]—he yet thought that relaxation in our currency might be made with advantage. He saw no reason why the standard here should be higher than in any other country. A joint standard of gold and silver might be adopted with advantage. At present silver was not a legal tender for more than 40s. With regard to the abolition of all Corn-laws, he did not think that any such benefit would result as those Gentlemen who proposed that course imagined. He was, however, of opinion, that the 8s. fixed duty, as proposed by the late Government, would have been far preferable to the plan which had been adopted by the present Government. He could not vote for the motion of the hon. Member for Greenock, as he was persuaded that no good could result from the proposed inquiry, whether conducted by a select committee or by an examination at the Bar of the House. He felt convinced that the Government would, between this and the next Session, do their utmost to relieve the distresses of the country, and, therefore, in their hands he was content to leave the subject.

Mr. M. Attwood rose to explain. Some reference having been made in the course of the present debate to a speech of his made on a former evening, he begged to say that he had never recommended either the re-issue of one-pound notes, or a reduction of the silver shilling.

Viscount Howick was not prepared to support the present motion, but all must feel indebted to the hon. Member for Greenock for bringing the subject distinctly under the notice of the House. He thought it of great importance that the House should not separate for the recess without having had brought under its consideration the appalling state of things which had been described that evening by the hon. Members for Leeds, Marylebone, and Salford. He thought the statements of those hon. Members were calculated to make a deep impression on the House and on the country. He was not prepared to vote in favour of these resolutions, because it did not appear to him that any practi-

cal advantage could result from inquiry of the kind proposed. He did not believe that an inquiry, either before the select committee, or at the Bar of the House, conducted by Gentlemen of conflicting opinions, listening to witnesses equally differing among themselves, could enable them to arrive at a just decision as to the cause of the distress and the remedy to be applied. Nor could he approve of the other objects of the hon. Member, as they appeared from his notice. He did not think that there would be any advantage from preventing the prorogation of Parliament, even supposing it was in the power of the House to do so. He entertained this opinion, not because he doubted that Parliament had the power of adopting measures which would materially tend to relieve the existing distress, but that after the measures to which he would look for relief had been so lately discussed—and after the House had voted by such large majorities against those measures—he could see no advantage whatever in keeping Parliament together. On the contrary, he thought that a prorogation would be more likely to lead to the adoption of those measures, and he could not help expressing his earnest hope, that her Majesty's Government, if they should be disappointed unfortunately in those hopes which they had expressed of gradual improvement in the state of the country—and if they did find the gloomy anticipations of them (the Opposition) realised—that they would call Parliament together before the close of the year, and try, as a last resource, those measures which had been so earnestly pressed on their consideration. He confidently believed that it was in the power of Parliament to adopt measures, not such as could at once put a stop to distress and restore prosperity, but measures which would have a tendency to mitigate the pressure of that distress, and accelerate the arrival of better times, to which he hoped they might still look forward. Parliament might do this by adopting the measures which were adverted to on the first night of the debate by various Members, and especially by his noble Friend, the Member for London. He believed, that by relaxation of the restrictions which still confined our foreign trade, by a larger and wiser alteration of the Corn-laws, than any that had yet been proposed, Parliament might do much to mitigate the existing distress. If this

motion were attended with no other advantage, it was attended with this very considerable one, as he thought it, that it enabled those on his side of the House once more to point out those sources of relief to which they looked, and to throw distinctly on her Majesty's Government the entire and undivided responsibility in the present most awful state of the country, of rejecting those measures, while they had themselves no substitute to propose. He thought those who had heard the accounts given of the state of the country would agree with him, that that was a very serious responsibility. It was a responsibility the more serious, because, in the various debates and discussions which had taken place, the Members of the Government, while they guarded themselves against a uniform and general application of the principles which they laid down—while they maintained that there were exceptions to be made, and that general principles, however sound, could only be practically applied with extreme caution; yet expressed, if he rightly understood the right hon. Baronet and the other Members of the Government, their full and entire concurrence in those general principles of the importance of commercial freedom, on which they (the Opposition) rested their arguments, and the measure of relief for which they contended. Let him remind the House, that in the course of this debate the following most important admission had been made by her Majesty's Government. They had told them in the first place, that the distress which now afflicted the people of this country, especially in the manufacturing districts, could not be adequately met by the mere hand of charity. They had told them that the contributions, however liberal, must be inadequate to the greatness of the evil—that the only real relief was to be looked for in an increase of employment for the people of the country. They had admitted that improvement in the demand for labour was the only true and effectual relief. They had further admitted, with regard to the article of meat—and he thought the same argument was as applicable to the case of corn—that the population of the country had gradually outgrown the means of the supply of food. They had also admitted distinctly upon general principles, that the interest of the country was to buy in the cheapest markets. They had admitted

further, that whatever increase took place in the importation of the produce of foreign industry for consumption at home, such increase must necessarily lead to a corresponding increase of exports from this country. The House would remember that the right hon. Gentleman, the Vice-President of the Board of Trade, in defending that part of the tariff which related to cattle, had stated as a strong argument in favour of the measure proposed by her Majesty's Government, that, if 50,000 head of cattle should be imported under that alteration in the customs law, such importation would be attended with this great benefit, that it would create a corresponding demand from abroad, for the export of the produce of British industry. If that argument held good with respect to cattle, it must also be applicable to other descriptions of produce. He was persuaded that that principle so laid down by the right hon. Gentleman was sound, and that his position was no less true than important. It did not necessarily follow that the exchange of commodities between countries must be direct. Corn that we exported from Poland might not be paid for by manufactures sent direct from here to that country, but by the export of manufactures to Mexico, from whence silver would be exported into Poland. The course of commerce might be thus circuitous. In one way or another, direct or indirect, legitimate or clandestine, he believed it to be as certain a proposition as any in the whole circle of political philosophy, that whatever increase took place in the importations from foreign countries must be met in some shape by a corresponding increase in the exports from those countries. Her Majesty's Ministers had admitted that increased employment was a remedy for the distress; they had admitted that an increase in the exportation of the produce of British industry must be followed by an increased importation of foreign commodities, and if those propositions were true, how inconsistent was it with common justice and humanity, in such a state of things as they saw then around them, to retain a law, of which not only the effect was, but the very aim and object were to restrict and diminish an importation from abroad. How, under such circumstances, could they refuse to admit foreign coffee, foreign sugar, foreign spirits, and above all, how could they maintain a law which rendered it impossible that in corn, that great staple commodity of human subsistence, anything like a steady trade could be carried on between this and other countries? The right hon. Baronet, in the course of his speech the other night, had taken credit to her Majesty's Government for having made great improvements in the Corn-law, and the right hon. Gentleman the Secretary of State for the Home Department used the same argument, and added that it was much too soon to assume the failure of the Corn-law so lately passed, and that it ought to be more fully and more fairly tried. He had on former occasions expressed, and was prepared at the present time to repeat, his thanks to the Government for even so much improvement in the Corn-law as they had made. He thought the change they had made was for the better, and that it was one which, under other circumstances of the country, might be attended with great advantage. But, at the same time, he was prepared to maintain that the new Corn-law had already been long enough in operation to show that he, and those who thought with him, had been correct in the anticipation they had expressed—namely, that the retaining the vicious principle of the old law would be attended in many respects with the same unfortunate results. They had then endeavoured to show that the variation of duty according to prices would have the effect of preventing a supply of foreign corn coming in with a rising market, and when it was most wanted. They saw that that was the case already. They saw that with a large stock of corn in bond, although the temptation to hold back was not so great, the supply was not much increased. The main bulk of the stock in bond used to be withheld in the hope of the duty falling, and the same practice was going on now. A small quantity, it was true, had come forth; but the main stock was kept back. They had also at that time contended that the effect of the varying duty would be to prevent trade being carried on with the more distant markets on the most advantageous terms. He believed, in consequence of the uncertain state of the law, that the corn dealers were still afraid to order corn from any but the nearest markets. He believed that the supply from America which might be obtained under a different system, could not be brought in under the

law as it now existed. This was a consideration of the greatest importance, because America was a country our trade with which had chiefly suffered, and our loss of trade with which had chiefly caused the existing distress. He thought no Gentleman acquainted with the actual condition of the two countries would differ from him on that point. It was the falling off of the American trade which, more than any other failure in any one market, had contributed to the existing distress. That he assumed to be admitted on both sides of the House. The point that he and those who thought with him, had formerly contended for, was this—that the falling off of the trade with America was mainly owing to the circumstance of that country not having the means of making a return to us for those manufactures of ours which they would gladly receive; that by the export of their corn they could not make such a return. That had been their argument. But how had it been met? He knew what was the answer of her Majesty's Government. They told them that the falling off of our trade with America was owing, not to the Corn-law, but to circumstances in the internal condition of America herself—the state of her finance, her currency, and her trade. The Government said that was a conclusive proof that the Corn-law had nothing to do with it, and triumphantly appealed to the flourishing trade we had carried on with that country in 1836, when the Corn-law equally existed, to show that, from whatever cause it had arisen, the crippling of our trade with America was not to be attributed to the Corn-laws. Now, in all arguments like the present, it was his wish and care to avoid exaggeration, and he should, therefore, admit at once to her Majesty's advisers that the circumstances to which they had alluded in the internal condition of America had contributed to produce the falling off in their demand for our commodities. He would also admit that in 1836 we carried on a flourishing trade with America in spite of the existence of a Corn-law. But, having made those admissions he was prepared to maintain two things; first, that those circumstances in the internal condition of America were not totally and entirely connected with our own commercial regulations; and secondly, that the flourishing trade of 1836 was to be accounted for by circumstances

quite of another character, and which gave no pretence for maintaining that the allowing corn to be imported from America would not materially contribute to the revival of trade. In 1836, the country had been blessed with an unusual succession of productive harvests. The people had enjoyed a cheap and plentiful supply, and therefore the want in America of the means of making returns for manufactures sent from this country, or of making remittances, which now so sorely pressed upon our trade was not then experienced. At that time British capital was in course of investment to an enormous extent in the stocks, the shares, and the various enterprising companies of America. Those investments went on for some time, but he conceived it was quite clear that that was a kind of process which could not permanently continue. The mercantile return, however, was then so made, and we received in return for valuable commodities only paper obligations. That system went on only too long for the real interest and advantage of both countries. This great investment of British capital in America was, in a considerable degree, owing to our Corn-laws, which tended to encourage the system in two ways: first, by producing a difficulty on the part of the Americans in the way of making returns for the manufactures she required, and therefore they were tempted to begin the process by sending over these securities; and, secondly, the Corn-laws tended to encourage the system, by refusing to receive the agricultural produce of the Americans, and so inducing them to divert their industry and enterprise from the pursuit of husbandry in which she might be best employed, and to turn them to those enterprises of railways and canals, and various other undertakings, in the carrying out of which the demand for British capital arose. But it was of little importance, however, whether the Corn-law had, or had not encouraged that great investment of British capital in American securities. All that was necessary for the purpose of his argument was to show that it could not be contended from what took place in 1836, that the Corn-laws were no obstacle to sound good trade, because what took place in 1836 was not good sound legitimate trade. It was a trade on the one side, as he had before observed, of valuable commodities, the return for which on the other, was formed of paper obligations.

The flourishing trade of that period, therefore, was no proof that the Corn-laws were not attended with great commercial mischief. It was obvious, if they wished to increase their trade with America, they must afford the Americans the means of making remittances to this country. How was that to be accomplished? He contended that the natural means plainly pointed out, was that we should receive the agricultural produce of that country. Instead, however, of doing that, we had a law which gave an exorbitant protection—it was so called, but he never used the word without protesting against such an abuse of language—an exorbitant protection to corn in a manner and upon a principle adopted in no other instance of an imported commodity—a principle that had been rejected with respect to sugar, with respect to cattle, with respect to every other article, whether raw or manufactured—namely, a varying sliding-scale of duties ingeniously contrived to render it impossible to have any steady trade with America, who, if things were left to themselves, would be our best customer. He so strongly felt the evils of a sliding-scale that he thought advantages would accrue to the merchant and the manufacturer if a fixed duty were to be imposed to a greater amount than had yet been contemplated, because he agreed with the hon. Member for Sheffield, who had told the House the other night, and truly, that the day they passed a law enabling this country to carry on a certain steady trade with America, that day trade would revive, that orders from that country for the hardware of England, for all those commodities manufactured in the seats of her industry would flow in, and produce their natural result. For these reasons he contended that the admission of foreign corn would tend to alleviate the distress that prevailed. It would create an additional demand for labour in the manufacturing districts. But what was the answer to this? The right hon. Baronet the Secretary of State for the Home Department had told them that another alteration in the Corn-laws would have no other effect than to add the distress of the agricultural population to that which already prevailed in the manufacturing districts. He would like to answer that argument in the *precise language*—if he could recollect it, *for it would be more forcible than any thing he could utter*—of the right hon. Baronet opposite, and of the right hon. Gentleman the Vice-President of the Board of Trade, when they were answering an equally futile alarm with regard to the importation of cattle. Every word used by those right hon. Gentlemen on that occasion, every argument they then addressed to the House in answer to the unreasonable fears that had then been expressed, would apply with equal force on the present occasion to the unreasonable fears expressed by their right hon. Colleagues. The demand for food in this country was enormous, and looking at its amount, looking also to the means of supply abroad, the proportion to the whole consumption which we could receive from abroad was so extremely small, that it could make but little impression upon the state of our own agriculture. He was further persuaded that for some time it would produce no fall whatever in the price of corn—that the relief which, in the first instance, we should derive from a change in the Corn-laws, would not be in the form so much of a reduced price, as of an increased consumption. He was persuaded, also, that the operation of the Corn-law was far less to enhance the price of the supply consumed by the population, than to compel them to diminish their consumption. Did any man suppose it possible that with such frightful and aggravated distress as had been described by hon. Members who had addressed the House, in such a state of things as permitted 1,200,000 persons in this country to be thrown upon the poor-rates, as had been stated by the right hon. Gentleman opposite (Sir J. Graham) a few days ago—at a time when distress was not confined to this or that trade, this or that manufacture, but when it was universal; when the cry of it echoed from Leeds to Dundee, from Paisley to Manchester—did any man, he asked, imagine that such a state of things could exist, and not only exist but continue for months and months, and no diminution in the consumption of food take place? Hon. Members knew the distress of their own constituents. With regard to Sunderland, he could say that there were now 1,000 persons out of employment, and supported by contributions raised with great difficulty among the superior classes, who were themselves affected by the general distress. Those who imagined that under these circumstances no diminution in consumption of food took

place, would find the best answer to their hypothesis in a visit to the wretched abode of some unemployed spinner or weaver, and in the cries of his famishing children. Suppose they admitted the corn of America, whatever was imported from that country would have to be paid for in British manufactures. At once, therefore, employment would be given to the persons who produced those manufactures. But the advantage did not stop there. Those persons, being now out of work, are in a state of the utmost misery; they were striving to get through the difficulties of the period by the closest and narrowest economy in every possible branch of their expenditure. Their clothes became rags, and were not renewed—their furniture was sold, and they had no means of replacing it—their consumption of tea and coffee became less, of beer less, of bread less—in every possible shape and direction their consumption was reduced. But the moment these men got employment in the mills, which produced the goods to be sent to America, that moment they began to revert to their former course of expenditure, to resume their old habits, and enjoy some decent share of the comforts and luxuries of life. As they thus returned to their former way of life, they created a new demand for the labours of other persons. More spinners and weavers were set to work to produce the clothes they now required. Then the wages of all these re-employed persons being spent in shops, the small tradesmen found their situation also beginning to improve. Then the poor-rates—and let it be remembered that a new poor-rate was a serious matter to the manufacturer, and had been the cause of some mills being closed—the poor-rates would be diminished, and at the same time the petty grocers and other tradesmen in manufacturing towns immediately began to find their receipts increase. This class, too, had been compelled to practise economy; but, upon the revival of their trade, they would again increase their expenditure. This system of action and re-action created a new demand or new life throughout society, and, in the due course of the general improvements, the master manufacturer and the wholesale dealer speedily participated, and were relieved from the necessity of practising the same rigid economy that, in proportion, had been observed by all classes. Thus, by a comparatively small demand for the

importation of food from America, would begin a course of improvement which would be felt throughout the whole framework of society, from one end of the land to the other. The right hon. Baronet opposite knew too much of the real posture of affairs—whatever might be the case with some of his supporters—and the right hon. Baronet was too intimately acquainted with the true state of the people, to say that he was using mere clap-trap arguments, or putting forward plausible sophistry in the observations he had addressed to the House. He had spoken nothing but simple truth, and he repeated that a comparatively small demand would commence a process of improvement, of which the effects would be felt throughout the country. Such were the grounds upon which, he, for one, was prepared to maintain that the relaxation of the restrictions upon our commerce, and, above all, of the Corn-laws, was the only practicable method in the power of the House to adopt for the purpose of alleviating the distress that prevailed; and he did hope that Gentlemen on both sides of the House, and more especially her Majesty's Ministers, would seriously reflect upon the awful state in which they were placed. He trusted that before it was too late they would either adopt those views which had been commended to their notice, and which were completely consistent with those they had adopted in regard to some other matters, or that they would propose something which should be adapted to the same end. He, for one, confessed that he could not look forward to the approaching winter without some forebodings, not only on account of the distress, the frightful harrowing distress, that must be endured before the usual time for Parliament to re-assemble, but he could not disguise from himself that with reference to the political state of the country, things wore a most serious aspect. He could not disguise from himself that under such a pressure of distress as that which now existed, the maintenance of these Corn-laws, and other similar laws, in spite of arguments, which the right hon. Baronet must allow were not altogether irrational, but at least plausible and requiring a sufficient answer, was calculated to produce a feeling and spirit in the great mass of the population which might hereafter produce the most disastrous results. Demonstrations of such a feeling had

hitherto been confined to particular classes, but he could not disguise from himself that a very different temper or spirit was now springing up, and that that temper was no longer limited to those who had heretofore been set down as the mob of the Chartists, but that it was rapidly gaining ground. He had received a letter some time ago from a person belonging to a very respectable class of society, stating his conviction that such a feeling was fast gaining ground among his equals, and that the time was come when it was necessary for the middle classes to make common cause with those who had been known by a different name for the attainment of some large change in the Constitution. He for one at this juncture was not anxious, by the pressure of distress, to increase such a tendency. He thought it was dangerous so to do. He was unwilling to mention these things. He knew it was sometimes productive of inconvenience, but in the present awful condition of the country, there was less inconvenience, less apprehension of danger in speaking out and considering a measure by which the ground for alarm might be removed, than from dictates of policy to disguise a danger which would not be the less frightful, because they feared to look it in the face. He could not of course expect that her Majesty's Ministers would now retrace their steps. He was not sanguine enough to expect that even peril would induce them to take that course which he thought a sound and prudential policy dictated, and even before Parliament separated, to apply themselves to remedy the evils and distresses of the country. But he did think they had a right to expect this much if the distress continued—and the Government were not able to discover other means of affording relief to the people, at all events they would not suffer the present year to close without summoning Parliament again, and then if they had no measure of their own to suggest, to try what would be the effect of that course of policy which had been recommended to them by their opponents.

Mr. Morrison said, that the distress was not confined to the manufacturing interests, but extended to the shipping, to fixed capital, and to every species of employment connected with the home and foreign trade. There was hardly a market to which we could export any thing with a hope of profit. He did not remember

any period of distress so intense and widely spread as the present. He believed that when the tariff question was settled some good would be effected, but that would be the work of months. Gloomy as the present picture was, he did not see any ground for supposing that the existing state of things would continue long. If the sources of our prosperity exhibited an appearance of decay—if our beds of coals had been exhausted—our capital been wasted—the skill of our artisans and the industry of our people been surpassed by that of other nations—he might suppose that such a state of things indicated a great national decay; but he saw no reason for entertaining such an apprehension. At the present moment he believed that the superiority of our manufactures over those of other countries was as marked and decided as it had ever been. He believed that there was not a nation nor a people in the world that would not be glad to take from us more of our manufactures than at present. The great difficulty under which they laboured was in finding equivalents to exchange for the produce of our manufacturing skill. This, he believed, was at the bottom of much of the distress of which this country now complained. He had stated that the superiority of our manufactures over the manufactures of other countries was as great at the present moment as it had ever been at any former time. In proof of this, he might refer to a document he held in his hand, which showed the amount of manufactured goods imported into the United States from England and other countries of Europe, in 1840. He had not been able to obtain the official return of the imports into America in 1841. He believed it had not yet been made out; at all events, it had not been sent to this country. He selected the United States, because he considered them as affording, above all the neutral markets of the world, the best test of the desire of other nations to become the consumers of our manufactured goods—that desire, of course, originating in the superiority of our manufactures. In the United States we met the manufactures of Belgium, of France, and of Germany, upon equal terms, while the manufacturers of America herself had an advantage of 30 or 40 per cent. in their favour; yet, with very few exceptions, it would seem that the manufactures of England were infinitely preferred. The document which

he held in his hand showed the total value of the principal articles of manufactured goods imported into the United States in the year ending the 30th of September, 1840. First of all, he took the great article of cotton. The total value of printed and coloured cottons imported into the United States in 1840, amounted to \$3,893,000, of which the proportion imported from England amounted to \$3,114,000. Of white calicoes the proportion was about the same. Of hosiery the proportion imported from England was comparatively small. The manufacturers of this article in Saxony had been underselling us in the American market, although the yarn from which their manufacture was produced was purchased at Manchester. This advantage they gained over us, not from their superior skill, but from the greater cheapness of labour. Of cotton-twist imported into the United States, the greater proportion, as might be expected, was derived from England. The total value of the whole of this article imported in 1840 amounted to about \$387,000, of which the proportion imported from England amounted to \$375,000. Such was the preference given to English manufactures in America as far as cotton was concerned. The next article was linen. The total quantity of linen, bleached and unbleached, imported into the United States in 1840 amounted in value to \$4,170,000; of this the proportion imported from England amounted to \$3,490,000. From this statement it would appear that it was not at all necessary (as was done the other day) to impose a duty of 10*d.* the square yard, as a protection upon our manufactures, seeing the great superiority which we possessed in the fabrication of this article over all other countries. There were some other kinds of linen imported into the United States, in respect to all of which the same proportion was exhibited in favour of the manufacture of this country. Of woollen goods the total value imported amounted to \$2,242,000, of which the proportion derived from England amounted only to \$1,300,000. This was explained by the fact that the United States imported a large quantity of a species of fancy worsted goods, manufactured upon the continent, in which the French surpassed us in taste and design. In the more substantial articles of cloths and kerseymeres, the

superiority was all on the side of England. Of these articles the total value imported in 1840 amounted to \$4,600,000, of which the proportion imported from England amounted to \$4,400,000. Of worsted hosiery the total value imported in 1840 amounted to \$500,000, of which four-fifths were derived from England. In the article of silk the French, as might be expected, had a great advantage. The total value of the whole quantity of silk imported into the United States in 1840 amounted to \$7,000,000, of which the proportion obtained from England amounted only to \$1,100,000. But it must be borne in mind, that only a few years ago—prior to the changes which Mr. Huskisson introduced into our commercial policy—this country exported no silk goods at all to America. Since that time we had been gradually gaining upon the French in the American markets, although, as would seem from the statement he had just made, the French had still a great advantage over us. In the more common manufactures of earthenware England had all the advantage; and in all articles of hardware her superiority was not less marked. He thought he had shown by these examples that the present distress in this country was not caused by the successful competition of other nations. This was an important point to establish. We were distressed, not because our prices were too high, but because other nations could not purchase more of our goods in consequence of our laws excluding the importation of the produce which they could give us in return. In looking to the causes of the present distress, it must not be forgotten that the years 1838 and 1839 (for the distress under which we were now labouring must be dated from that time) were years in which grain was imported largely into this country—payment for the grain so imported was made in specie—7,000,000*l.* sterling were exported—the Bank of England was drained. This was one of the causes of our distress. It embarrassed our commerce, interrupted our foreign trade, and at once told upon our manufacturing interests. This would account for the four years of distress under which we had been labouring. The period to which he had adverted, namely 1838-39, was preceded by several years of prosperity, of abundant harvests, and of low-priced food. This must not be forgotten; because the distress which will



continued afforded, during that time, a striking contrast to the condition of the country in preceding years of prosperity. When speaking of the state of the manufacturing population, it must be borne in mind that the manufacturers were the best customers of the manufacturers—that they consumed individually more of manufactured goods than the people employed in agriculture consumed. Thence it followed, that when the manufacturers were distressed, the diminution in the consumption of manufactures was greater than it would be if the same number of agriculturists were distressed. Looking to the external causes of distress, he must look again to the United States. The hon. Member for Whitehaven (Mr. Attwood) in the debate of the other evening, had stated that the distress and misery that had prevailed in the United States had been occasioned by the Americans having adopted our theory of free-trade. The hon. Member stated, that the Americans had been misled by our free-trade philosophers. Now, he must observe, that if the Americans were misled by anybody on this side of the Atlantic, it was not by the free-trade philosophers, but by another set of philosophers who taught us that distress meant dear money and cheap commodities, and that prosperity meant dear commodities and cheap money; that the only course we had to adopt in times of distress was, to issue an abundance of paper-money, and that then all would be right again. The Americans had acted upon this plan. When the charter of the United States' Bank expired in 1836, the government of that country chartered banks by hundreds, and poured into circulation a paper currency amounting almost to countless millions of dollars. The effect upon prices was just what the class of philosophers to whom he had adverted predicted. Prices rose very much. The sales of public land, which amounted in 1833 to about £5,000,000, in 1836 amounted to £25,000,000. Then the consequences of the excessive issue began to exhibit themselves. In 1840 the sales fell to £2,200,000. The value of the imports from this country, which in 1830 had been £6,132,000, amounted in 1836 to £12,400,000; in 1840 they fell to £5,200,000. This alone would account for the distress which prevailed in this country. This one fact alone of the great falling off in the course of a few years of the exports from this country to America, was sufficient to account for our distress. When the Bank of the United States fell, it dragged with it into the same gulf of ruin all the property of the country. The value of everything was deteriorated, and a state of distress and misery was produced such as had never been equalled since the annihilation of the "assignats" in France. The United States would no doubt recover from the ill-consequences of their impolicy; but the progress of recovery would be slow. He did not think that any great improvement would take place for the next two or three years. His noble Friend (Viscount Howick) had alluded to the quantity of American securities which had come over here. These had been an import of bonds to the amount of 3,000,000*l.* annually, on an average of ten years. This, undoubtedly, would have some effect, and a very visible effect; but if we were again to extend our trade with the United States, it was perfectly plain that we could only do so by taking their meat and corn. We now took from them a large proportion of the cotton, wool, and all the tobacco that we consumed. There were no means, therefore, of extending our trade with America, except by taking their corn and provisions. Of all the countries in the world America seemed to be the best disposed to deal with us. There was no prejudices there in favour of a manufacturing interest. The agricultural population in that country, as in others, were the masters. They returned the members of the legislature, and controlled the voice of the legislature. But they had no wish to have high tariffs and to pay dearly for the articles they consumed. They certainly had no desire to see a parcel of large manufacturing fortunes made at Lowell. Therefore it was our interest, and should be our policy, to conciliate the Americans. He had stated, that the falling off of our export trade to the United States was in itself sufficient to account for the distress now existing in this country. But there were other causes. The state of things in India was almost as bad as it had been in the United States. The capital which, in ordinary times, was applied to the assistance and support of trade, was drawn away from Calcutta and directed into a new and most unprofitable channel—it was taken from trade and applied to war. This could not fail of producing very serious and very injurious

consequences—consequences as disastrous, perhaps, as those which ensued upon the war with Birmah. The state of our relations with China might be regarded as another cause of our distress. True it was that the Chinese continued to supply us with tea; but he regretted to find that we gave them nothing but opium in return. Our army and navy would, no doubt, succeed by the strong hand in settling the dispute in which we were involved with the Celestial empire; but whether the experience which the Chinese would gain of our physical power would have the ultimate effect of making them better customers was to his mind a matter of speculation. Independent of these direct causes for the depression under which our commerce and manufactures were suffering, it might be remarked that the whole commercial world was everywhere in a state of stagnation. The markets of Brazil were as bad as those of the Levant. To whatever quarter of the globe our merchants directed their attention, they were met by the impolicy of our laws, which excluded from our own markets the produce of other countries. Along with the circumstances to which he had already adverted, there were others of no small importance as connected with the condition in which we now found ourselves. One of these was the general want of confidence everywhere existing as to the terms upon which the different products of different nations were to be exchanged. Of late years discussions had been going on about commercial treaties and commercial tariffs in almost every country that could boast of any commerce at all. This could not fail to interfere with the progress and with the interests of trade. The mere fact of the agitation of these things had unquestionably done a great deal of mischief. The contemplated changes might possibly be very beneficial, but during the time that they were under discussion, and for a short time after they came into operation, they were undoubtedly productive of harm. This remark was applicable to the discussion which had taken place upon our own tariff. Many of the changes which it proposed to effect were exceedingly good, but during the time that those changes had been in agitation much mischief had been produced; and that too at a time when we could very ill afford to bear it. Some people talked about the *Income-tax* as a means of relieving the

country from its difficulties. He apprehended that it would not be contended that the *Income-tax* would do any good to trade. If it had any influence upon trade at all, it would certainly be the reverse of good. Being, however, only a tax of 3 per cent., coupled with the assurance that it was only to continue for three years, it was not likely that it would do much harm. He must remark, however, that of all taxes for a commercial country a tax upon profits was the most injurious. One of the inevitable effects of the tax would be to lower wages. He gave the right hon. Baronet (Sir R. Peel) full credit for all the advantages which the revised tariff would confer upon the country; but he certainly thought that the right hon. Baronet very much over estimated its value when he stated that for every pound paid to the *Income-tax* an advantage of ten pounds would be gained from the tariff. The tariff, undoubtedly, would do much good, but nothing like the good that the right hon. Baronet seemed to anticipate from it. Its chief good appeared to him to be, that it had committed the right hon. Baronet to the party which supported him to a liberal course of commercial policy. In that respect its value was beyond all calculation. The principle admitted by the right hon. Baronet in the revision of the tariff would inevitably lead to further changes founded upon the same liberal policy. He had very little to remark upon the changes made in the new tariff in respect to manufactured goods. Upon that point he thought that Government had exhibited a great deal of unnecessary timidity, and that concessions had been made where they ought not to have been made. This remark applied particularly to the article of silk, the differential duty upon which the right hon. Baronet proposed to increase from 3*d.* to 1*s.* a pound. In his opinion, it would have been better to have left it at the old rate of 3*d.* a pound. Again, a duty was imposed upon linen of 10*d.* per square yard. This was objectionable, upon the ground that the true principle of imposing duties upon commodities of this nature was *ad valorem*, and not by weight or measure. Thus far he had confined his remarks to the condition and prospects of our manufactures. With the permission of the House he would now say a few words with respect to the Corn-laws. He thought it was a matter of great regret (and he was not sure

that the right hon. Gentleman opposite did not participate in that regret) that the fixed duty last year proposed by his noble Friend the Member for London (Lord John Russell) had not been adopted. A fixed duty had, in his estimation, a great and decided advantage over the scale now proposed, and, indeed, over any scale that could by possibility be devised. This was so palpable, that whatever the strength of the opposition to it at the present moment, he did not doubt that before many years elapsed a fixed duty would be established. The sliding-scale operated, as the noble Viscount the Member for Sunderland (Viscount Howick) had said, especially against America. He knew that there were at this moment large stocks of provisions at New York which could be sent over to this country at a very low price—under the operation of the new tariff they might probably come to us; but at present there was always the uncertainty in the mind of the exporter as to what the rate of duty might be in this country when the goods arrived. The right hon. Baronet the Secretary for the Home Department (Sir James Graham) had told the House in language which he thought the right hon. Baronet must have almost himself smiled at, of the ruin that would inevitably result to the agriculturist if the Corn-laws were abolished. The question of the total abolition of the Corn-laws had not yet been seriously discussed. The sole question during the present Session had been between the comparative merits of a sliding-scale and a fixed duty. But suppose that the trade in corn were perfectly free. What then? From all that he had heard or read upon the subject, there was no ground for supposing that the price of wheat under a system of free-trade would be less in the British market than 50s. a quarter. It would be recollected that for some years previous to 1838 the average price of wheat in this country was somewhere about 50s. a quarter. If, then, we were to have this wide spread ruin amongst the agriculturists in consequence of a free-trade in corn, why did it not come at the time that the price of wheat was as low as if our ports had been open? In those years when the price of corn was low, it was not found that the labourers in agriculture were thrown out of employment—that the *farmers were ruined* and reduced to beggary; on the contrary, he believed that *those six years were remarkable for agri-*

cultural improvement. The same apprehensions were entertained when the duty was reduced on foreign wool; and yet the agriculturists had benefitted very largely by the alterations made by the measures introduced by Mr. Huskisson in respect to the importation of wool. Since the passing of these measures, and the adoption of a liberal system, the price of English wool had increased in a very remarkable degree. This showed that free-trade was not so dangerous as people imagined it to be. But the question now to be considered was, whether it would be more advantageous to have a sliding-scale or a fixed duty upon corn. If he had to decide upon matters of this sort, he would impose the same duties upon manufactures as upon agriculture. He would give the same protection to each. If he gave a protection of 10 per cent. or 15 per cent. to manufactures, he would give an equal protection to agriculture. But under any circumstances he considered a fixed duty preferable to a sliding-scale. Once adopt a fixed duty, once acquaint the world with the precise and unvarying rate at which corn should be admitted into our ports, and the negotiation of commercial treaties with many countries with which we had not now much commercial intercourse would be greatly facilitated, and advantages of no slight kind might be derived from them. Russia, Austria, Prussia, Bavaria—countries, the former of which, from the absence of coal, and the very nature of their Governments could never come to be, and perhaps never desire to be, great manufacturing countries—would gladly exchange the produce of their soil for the produce of our manufactures. When they were urged by the Gentlemen opposite to abandon the doctrine of free-trade, and to go back to the old principles which governed our commercial policy in former times, he would observe that it would only be possible to do so by getting rid of 2,000,000 or 3,000,000 of the population. Without free-trade it was impossible that the population could be employed. The operation of the principles of free-trade upon the shipping interest had been very remarkable. In 1827, at the period of Mr. Huskisson's reforms, there belonged to the United Kingdom, exclusive of the colonies, 19,524 ships, of which the tonnage was 2,181,138 tons. In 1841 there belonged to the United Kingdom, exclusive of the colonies, 23,461 ships,

of which the tonnage was 2,935,399, being an increase in that short interval of 3,937 ships, and 754,261 tons, equal to the entire navy of most of the continental states. But, after all, the most important consideration connected with this subject was the rapid increase of the population. This consideration necessarily mixed itself up with all our inquiries and met us at every step. By the last census it appeared that there was an average annual increase in the population of 270,000 souls. Even in the very period of distress which they were then discussing, within the last four years there had been an increase of more than a million. Unless employment was provided for these people by extending the basis of our foreign trade, it would be found at no distant period not only that the sliding-scale, but that all agricultural protection whatever, must be abandoned. And, if that were not done, the national capital must be consumed in the expense of transporting vast numbers of the population to the colonies, or of supporting them in idleness as paupers at home. He need not point out to the House what the consequence of such a state of things would be at the end of twenty or thirty years. To what means could the country then resort to mitigate the poverty which would have accumulated upon it. He owned that, unless some active and efficient measures were taken, he anticipated at no distant time very serious consequences from this cause alone. He saw no means of meeting the difficulty but by enlarging our foreign trade—by admitting the productions of other countries without the present restraints. He did not believe that the right hon. Baronet at the head of the Government would be able to retain these restraints for any long time, and he suspected that the landowners were beginning to think (he knew the farmers were) that the present change in the Corn-laws could only be of a temporary nature, and that it would be necessary, before many years elapsed, to adopt the principle of the noble Lord the Member for London.

Mr. G. Palmer believed that the distress which now existed had arisen from a very different cause from that to which it was attributed by many hon. Gentlemen opposite. It had not arisen from the price of corn, nor from any of the regulations that had taken place in this country—but

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from the vicious system under which our manufactures had been carried on—from the encouragement given by a vicious system of credit, which had forced production far beyond the demands either of the home or foreign consumer. The consequence was that all the markets abroad were overstocked. He would just call the attention of the House to the amount of some of our articles of import and export in the year 1842, as compared with the average of the years 1837 and 1838. He would first take the imports. The average import of cotton wool in 1837-8 was 374,485,402 lbs.; whilst in 1842 it was 440,297,101 lbs. The average quantity of sheep's wool imported in 1837-8 was 51,936,546 lbs.; and in 1842 it was 53,020,067 lbs. In cotton goods, the average export in the years 1837-8 was, 16,068,570*l.* of declared value; in 1842 it was 16,209,241 lbs. The average export of cotton yarn in 1837-8, was 6,136,806*l.* of declared value; and in 1842 it was 7,262,540*l.* Of woollen goods the average export in 1837-8 was 6,495,678*l.* of declared value; and in 1842 the amount was 6,270,888*l.* If this was the case, were they to be told that the manufacturers were thrown out of employ because there was not work for them? He must say, that if the question was fairly looked at by the manufacturers, they would see it was owing to this cause and this cause only. He would appeal to hon. Gentlemen opposite, he would ask those who were engaged in the export of goods, whether it was not owing to the vicious system of persons in Liverpool, London, or other places accepting the bills of manufacturers, and before the manufacturers were paid for the raw articles, they had discounted the bills which had been accepted, and thus put money in their pockets before hand. It was to the home trade that they ought look. Let them obtain as much foreign trade as they could but not by sacrificing one iota of the home trade. The home trade was at least six-sevenths of the whole. If such was the case, were they to sacrifice six-sevenths, or to sacrifice one-seventh? The hon. Member who spoke last seemed to speak with apprehension of an increase of the population. He remembered 1796 and 1797. At that time there was not a family in the country who did not put themselves and their servants on an allowance of bread per week. The people

at that moment were only one-half in number what they were at this moment, and yet the number of acres was the same as now. He maintained that God never sent mouths without sending food for them. Allusion had been made to the American trade. The balance of trade appeared in our favour. How was it paid for? In paper, which he was afraid, now, was of little value indeed. The hon. Gentleman complained, that there was not more exports to America. How could there be? The Americans had no means to pay us. Let it not be supposed that by taking more goods from America, we should be able to increase the employment of the population. He did not, by any means, think it necessary, that Parliament should be kept sitting for a longer period than usual; for he believed that Ministers were the fittest persons to inquire into these circumstances. Another thing which he would recommend Government to look into was the state of the charges brought by the destitute part of the population on their neighbours. They should look into the manner in which the people were rated.

Mr. E. Ellice said, that he had risen immediately after the speech of the hon. Member for Inverness, intending to direct his attention to that part of the subject on which the hon. Member had given so much information. He was sure the House would not regret the discussion, if it was only that it had afforded the House an opportunity of hearing the speech of the hon. Member for Inverness, which was full of so much good sense and information on the dreary prospect before us, holding out a lively hope, that a better state of things might yet dawn upon us. Before he went into the subject he must make one remark on the speech of his hon. Friend, who followed. He entirely concurred in the observation that "God never sent mouths without the means to feed them." Why was it the people of this country had no means to feed them? Why was it, that when the rest of the world was teeming with the necessaries of life, the poor people of this country were compelled to consume their bread at double the price at which people paid in other countries? At this moment, the price of good wheat was 70s. and upwards, being double the average price of wheat throughout the civilized world. And, while wheat was at this extraordinary price, you would not allow the people

to obtain it freely, but you imposed a duty of 25 per cent. If human legislation did not interfere with the wise provisions of a merciful Providence, the people would not be suffering as they were. He would not go into a discussion of the principles of free-trade. He should think he was only wasting the time of the House in so doing. His hon. Friend had said justly, that one great cause of our distress was the falling off of the American trade, and he had justly ascribed that to the spirit of speculation and the unbounded abuse of credit which had taken place in that country. His hon. Friend might have gone further, and asked whether we were not to find the cause of this at home? He believed, that one of the main difficulties with which our trade in this country had had to contend, had been the mal-administration of the currency of this country since the act had passed. The right hon. Baronet knew well, that he had had very great and serious doubts, at the time of the introduction of his bill in 1819, as to how far this country should be subjected to the payment of debts in an increased currency; but the right hon. Baronet would do him the justice to admit, that from the time the Legislature had determined to pass the measure, he had always been one of the foremost in supporting and maintaining it. It was not a light thing for a country like this to tamper with this most important subject, and he had always felt anxious, from the moment the country undertook the sacrifice, which he knew it undertook in ignorance of the extent, that the currency of the period should be put on a secure and stable foundation. But what had been the fact? Immediately after 1819, we went on, up to 1822, in the prosecution of measures intended to carry out the bill of the right hon. Gentleman. In 1822, prices fell. We had then a kind of collapse, such as we now experienced, because, except in point of degree, all these periods of distress followed an alteration in the currency. In 1822, the country would not stand the measure. It flew from it, and we had recourse to the 1*l.* notes. In 1825, the prices of all articles were much enhanced in value by the depreciation of the currency, as if the price of gold had been at the depreciating rate at which it was during the last years of the war. In 1825, the collapse came. We exported all our gold. The effects were not felt only in

this country. This was the great metropolis of the commerce of the world. We could take no step here, which did not reach to the ends of the earth. What were the effects of the measure in 1822? We made money excessively abundant. Nobody knew what to do with his spare capital. The American loans followed. We lent 22,000,000*l.* to South America, who then became the consumers of our manufactures. In proportion as she became the consumer of our manufactures, we increased our establishments. We soon found, that we had increased our establishments to create productions beyond the means of a reasonable demand. Then, in the years 1834, 1835, and 1836, we did the very same thing to North America, which we had before done to South America. We made money abundant. The Bank of England issued its paper, sent out offers to the Bank of North America, which his hon. Friend had stated had failed in its duties to the public and to the creditor, to lend it 2,000,000*l.* of money. We gave encouragement in every way in which it was possible, to every speculation in America, and then we wondered, that the bubble which we had blown here, should be burst there. What was the consequence? You had an enormous American trade. Everything was exaggerated in that country. You gave the people the means of entering into speculations, which tended to the temporary consumption of much more than the real demands of the country would otherwise require. Then our manufacturing establishments increased in the same ratio, in the hope that this state of trade would be permanent. He only stated these two cases in explanation of the same case which had pervaded every part of the civilised world. Look at our colonies, and at India, and it would be found that the exaggerated state of credit here had set afloat speculations from one end of the world to the other. We must not then be surprised that when the chilling blast came over all, we should most severely feel the effects. When his hon. Friend saddled North America with being the cause of the existing evils, he should not have forgotten that the real cause was that we ourselves had not the steadiness and courage to carry our own measures into effect. The present was the third or fourth collapse to which our currency had been subjected, and because they were at pre-

sent in a state of distress, he saw every probability of a recurrence of similar evils. He had taken up the other day the statement of the circulation of the Bank of England, and he found that the average was about 16,500,000*l.* In the four weeks ending March 15, the circulation was 16,600,000*l.*, and on the 3rd of April he found it had suddenly increased to 18,400,000*l.* Now, would any man tell him that there had not been some tampering with the currency, which had occasioned an increase of 2,000,000*l.* within a month? He had looked with great curiosity to see whether the circulation of the country banks which had been steady throughout the year, had increased at the same time, and he found that so far from that, the circulation of the country banks, and the Bank of Scotland, and the Bank of Ireland, had rather fallen off. Now, if they had a recurrence to the old system, if they had a new issue of paper, if they shrunk from the performance of those acts which they ought to undertake with regard to the currency, he would tell the right hon. Baronet that the result would be most disastrous, for the country was in such a state at present that it would scarcely bear another collapse. It appeared to him that it was "better to bear the ills they had than fly to those they knew not of," and go back to the evils of restriction which they would probably be unable to control. He thought when the time arrived when it would be necessary to propose the renewal of the charter of the Bank of England, that the whole matter should be put upon such a footing as would ensure some steadiness in the circulation of the country. There was nothing upon which he looked with so much dread and suspicion as the administration of the currency by the Bank: if they were to have such an administration, let it be by the Government. But he should certainly prefer a currency which administered itself. He would give the Bank of England the power of issuing within the metropolis and its neighbourhood; he would give it on the same terms upon which it was conferred on other establishments; but let there be one uniform system, which would regulate and control itself, and for God's sake let them put an end to the system by which the Government and the Bank proposed to regulate the currency—one party regulating it for the benefit of the country, and the other for the benefit

of the dividend holders. He really believed that the mal-administration of the currency from the time of the passing of the right hon. Baronet's bill down to the present period had been the foundation of many of the evils under which they were at present suffering. He did not say that for the purpose of blaming this or that Government. He had always resisted such a course; and he would remind the House that he had opposed his noble Friend when he made Bank of England notes a legal tender. Upon that subject he had always contended that they ought either to adhere to the declarations they had then made, or at once go to the remedy proposed by his hon. Friend the Member for Whitehaven, who, he must say, had been hardly treated by the House. With regard to the observations of the right hon. Baronet as to the state of the trade of the country, he fully agreed with him. The right hon. Gentleman was aware that he had not offered the same opposition to his measures as some of his hon. Friends on that side of the House. He thought the right hon. Gentleman had no choice but an appeal to a Property-tax to make up the deficiency in the revenue. He did not hesitate to avow his abhorrence of such a tax; he thought it extremely unjust and unequal in its operation, and it was almost impossible to justify it except upon the ground of the impossibility of getting an honest tax which would meet the exigency of the case. With regard to the tariff he thought the right hon. Gentleman, acting to the best of his ability, had done great good to the trade of the country. That he had done great good as regarded one part of the tariff he was quite sure; but with regard to another part he was not so sure. He thought wherever he had taken the duty from the raw material, or from provisions, he had done great service, for which he was entitled to the thanks of the public. He thought these changes had been made by the right hon. Baronet in pursuance of principles which he knew to be right, and in opposition to the wishes of his Friends. He had had the manliness to take that course; the country would have the benefit of it, and to that extent the right hon. Baronet could have no difficulty in relying upon the cordial support of his side of the House. What the right hon. Baronet had done in that respect was in pursuance of their example, but he had the power

which they unfortunately had not. But he was not quite so clear that the right hon. Baronet was right where he had reduced the duty on manufactured articles, and had thereby placed their labouring and manufacturing population on a footing with the foreign artisan. He thought it extremely injudicious to attack the glover and the shoemaker; and more especially he thought it most unfair in the right hon. Gentleman to attack his constituents, the silk-weavers. ["Hear."] He knew he exposed himself to cavil when he made that objection, but in placing them on the same footing with the continental manufacturer the right hon. Baronet had done what he would find was neither just nor safe. [Sir R. Peel: How are they attacked?] They were not attacked, simply because the right hon. Gentleman could not get the French to agree with his propositions. It had been said that he had advocated Mr. Huskisson's measures, which were based upon the principles of free-trade, but he begged to remind the right hon. Baronet that he had recommended that they should, in the first instance, only go as far as it would be safe—to begin with the raw material and provisions, and then to go on to the manufactured articles. He was not quite so zealous a free-trader as to contend that they were always bound to apply these principles without reference to what other nations might do towards them. He owned that, with regard to manufactured articles, he should hold hard until he had adequate equivalents. He was anxious to contribute by every means in his power to lighten the distressing pressure which was at present bearing down the people of this country. He felt that they were entitled to every relief in the power of Parliament; and he believed that, with regard to the corn-trade, the new measure would give them relief. Although he despaired of his vote doing much for them, he would certainly give it in favour of the resolutions of the hon. Member for Greenock.

Sir C. Napier deeply deplored the existing distress, and he believed it would be found that the shipping interest of the country was in as great distress as the manufacturing interest. He had attended a meeting of shipowners lately, where it was shown that the state of that interest was at present most deplorable. The report read at that meeting showed that the number of ships and the amount of

tonnage had considerably decreased, and that, he believed, had been one of the results of the reciprocity laws of Mr. Huskisson. Where foreign ships were allowed to bring in cargoes, paying merely the same duties as British ships, while they were able to build them, and victual them, and sail them, at a cheaper rate, the inevitable consequence must be that English ships would diminish, while the number of foreign ships would increase. The hon. and gallant Member referred to certain tables for the purpose of showing that a considerable reduction had taken place in freights within the last few years, and trusted that some steps would be taken to avert the ruin that was impending over that most important interest. He did not blame her Majesty's Government for the existing distress—it had been gradually coming on, and had now arrived at a serious crisis. That distress had been owing to various causes, which most of the hon. Gentlemen present were much better acquainted with than himself. The right hon. Baronet had referred to the disturbed state of trade in America, to the war in China, and the disturbances in Canada as having partly occasioned that distress; and he must say that, with regard to the war in China, the sooner the right hon. Baronet put an end to that the better. One hon. Gentleman had said that with British ships and British troops they were perfectly certain to beat the Chinese, and no doubt they would be able to do so; but the right hon. Baronet knew what an enormous population there was in that empire—that they were 5,000 miles from their own territories, and that the sending out of troops was attended with enormous expense and delay. The right hon. Gentleman should recollect also that the Chinese had attacked and scaled the walls of one of the towns occupied by British troops, which proved that they were not destitute of courage, and that all they wanted was experience; and he would therefore again press upon him the necessity of putting a speedy termination to the Chinese war, and not to contemplate the idea of going into a country having such vast resources, after giving them three years to make their preparations. It was stated, and he believed correctly that the improvements in manufactures and machinery had been another cause of the distress. The noble Lord at the head of the late Government had proposed to Parliament certain remedies

for that distress. These propositions were rejected, and he thought wrongly; but whether rightly or wrongly it was unnecessary now to refer to the matter further than to say that an appeal was made to the country, and the country also rejected the propositions, and therefore if the evil still existed, it was impossible to throw the blame upon the late Government, because they had offered a remedy which the country had refused to accept. When the right hon. Baronet came in he proposed his prescription; and he first proposed an amendment of the Corn-laws, which he had contended was an improvement, as it reduced the duty nearly one-half. He admitted that; but what had its practical effect been? On the 6th of May, the date of the passing of the measure, the average price of corn was 60s. 8d., on the 13th of May it was 59s. 9d., on the 20th of May it was 60s. 9d., on the 27th of May it was 61s. 10d., on the 3d of June it was 63s. 6d., on the 10th of June it was 64s., on the 17th of June it was 63s. 10d., on the 24th June it was 64s. 3d., and on the 30th it was 64s. 3d. Now that proved one thing, namely, that the duty which was laid on corn before was much higher than was necessary to keep it out of the country, and the duty which the right hon. Baronet had now affixed would be just as effective in preventing corn from coming into the country as the old duties were. The merchants who dealt in corn knew a great deal better than the right hon. Baronet at the head of the Government, or the right hon. Baronet the Secretary for the Home Department, what was the state of the harvest. They had reports every day from every district of the United Kingdom, and knew the appearance of every field in the country and the exact state of the harvest, and if they saw the prospect of a bad harvest they would keep their corn, and not allow one quarter to go out of bond. He could assure the right hon. Baronet that he would be obliged to abandon all duty whatever on corn, and he did not believe that the smallest injury would result to the farmer or anybody else. He had no doubt that the tariff would do a great deal of good, but although the duties had been reduced or taken off on many articles, still they had not been reduced on articles on which the poor existed. The right hon. Baronet had kept the duty on corn, and also a very heavy duty on butter and cheese, which



were great articles of consumption by the poor. A very heavy duty was also continued on sugar and coffee, which were also consumed in great quantities by the poor. And with regard to the Income-tax, he thought that if a property-tax had been imposed very considerable good would have resulted, provided common justice had been observed. He would next allude to the very great hardship which gentlemen who held foreign funds suffered by the Income-tax. Some countries were now beginning to pay up the dividend (he alluded particularly to Spain and Portugal) the governments of which countries clapped their hands on 50 per cent. of the money, and the moment it came into this country the right hon. Baronet would clap his hands upon 3 per cent. more. He would not have addressed the House at all, after the very excellent speeches he had heard, if he did not represent a large borough, which naturally expected that its representative should speak its sentiments.

Captain *Layard* believed the extent of the distress existing in this country was very imperfectly known. He could bear his testimony, that although the distress was great in this country, it was equally great in Ireland. But if the distress was severe, he was happy to say, that in the neighbourhood of Ennis, private charity, judiciously bestowed, had been enabled to alleviate that distress; and although there was great poverty in the country there was also great wealth, and the people had a right to expect that some means should be found out for the purpose of mitigating their sufferings. He should give his vote in favour of the motion of the hon. Member for Greenock, believing it was the duty of that House to alleviate the distresses of the people, and not allow them to be borne down by sufferings, for the endurance of which so much credit had been given to them.

Mr. *Scholefield* said, that there was greater distress existing at the present moment in the town of Birmingham than had ever existed during the time he had been acquainted with the affairs of the town. He had been engaged for forty years as a merchant and manufacturer, and had never known the distress of the people to be so great and extensive as at present, without the least hope of improvement. He would say, unfeignedly, that he did not see the least prospect of

amendment in the state of the country. The distress was not confined to the poorer classes, for he had received a letter from an intelligent friend at Birmingham, which stated that the distress was greater among the masters than the journeymen, and the present state of affairs would reduce them to a lower station of society. The peculiarity of the position of the country consisted in this, that the employers of labour were in quite as great difficulties as the workmen. They might not suffer bodily want, and might have beds to lie on, and food to eat; but the distress they were suffering preyed upon their minds, destroyed their energies, and took from them all appetite for that which they had to eat. Another intelligent friend wrote to him to say, that every person you met knew and felt the distressed state of affairs. The empty small houses and the low price of goods all combined to satisfy them that matters were worse than they had been for years. And he could corroborate what had been stated with respect to the condition of the pawnbrokers. Those persons stated that their business was at an end, and they could not take any more pledges. One man stated that he would really return all the goods on which he had advanced money, and thereby give up the advantages of his trade. Numerous distresses for rent and poor-rates had also taken place at Birmingham, and one of the newspapers published in the town stated that there was a total stagnation of all business, and the uninhabited houses gave to the town the appearance of a deserted city. The working population was not half employed, and a great portion of them were in a state of starvation. The Money Market Letter also confirmed the statement of general distress, and said, that no business could safely be done. He was quite satisfied that that was not an exaggerated statement, and he thought that the people had a right to look to Parliament for relief. No prorogation should take place until some remedy was discovered. His hon. Friend, the Member for Whitehaven, had been censured by the right hon. Baronet for not finding out a remedy for the distress; but it should be remembered, that his hon. Friend had not been called into consultation; and there was no doubt that, if he had been consulted, he would have prescribed some good and efficient remedy. With respect to the question of the Corn-laws the right

hon. Baronet and the noble Lord were completely at issue. He would venture to offer one suggestion on the subject, for, do what they would, to this complexion must it come at last, that the price of corn must either be reduced to the level of the workman's means, or higher wages must be given to the labourer to enable him to pay high prices for his food.

Mr. S. Crawford entertained a different opinion as to the remedy for the existing distress to that which had been suggested. Some time ago he gave a statement of the distress existing in Rochdale, and it had such an effect that her Majesty's Ministers said it should be inquired into. The report of the assistant-commissioner, who made the inquiry, substantially confirmed that statement. The condition of Rochdale, though much distressed, was not so deplorable as the condition of many other towns in its neighbourhood. He would read a statement relative to Rochdale, which he had received from a respectable correspondent. The statement declared that the distress in Rochdale was very great, but not so great as in adjacent places, because its trade was half wool and half cotton. Journeymen were walking the streets in numbers, with absolutely nothing to do; and although the woollen trade was good, yet the wages were so low, that a man with a small family, in full work, could not earn enough to support them. The comparative numbers of the poor were—in 1836, 487; and in 1841, 3,396. In alluding to the distress, it was quite right that the distress prevailing in Ireland should not be overlooked. In Belfast—a town which, as it had now no representatives in that House, ought to be particularly brought under the notice of that House—there was great distress. A town meeting had taken place there, and in the speech of Dr. Cook it was stated there were 1,500 operatives out of employ, out of which number 1,200 were in a state of destitution. The labourers were also as badly off as the weavers. At Newtownards very great distress prevailed. In fact, both in Ireland and in Scotland, in parts which formerly were in a flourishing state, distress was rapidly manifesting itself. If ever there was a case calling for inquiry he considered that the present prevailing distress afforded that case. He was bound, however, to say that, while he approved of the hon. Member for Greenock's motives, he did not think it was the proper mode

to treat the question. The distress had occurred mainly through the New Poor-law, bad harvests, and the increase of taxation. So long as the old Poor-laws were kept up, the labouring people did not feel the consequences of low wages or dear provisions. Then deficient wages were made up out of the rates; but the New Poor-law deprived the people of that resource. The cause of the present calamity was the removal of the old Poor-law, joined to the rise in the price of food. The labour market was also overstocked. There was a greater number of labourers than could be employed,—and why? The cause had not been stated by any hon. Gentleman who preceded him. He conceived the great cause was the deficiency of small men in the occupancy of land. If small men had these occupancies there would be fewer labourers in the market, and there would be more men earning their support on their own foundations. It had been alleged that the country was over-populated. He denied it. There was no excess of population; and there was plenty to maintain the present number. What did this excess mean? Was it that the population was too great for the resources of the country? If so, he contended that this was not correct; and on the contrary, he asserted the resources of the country were quite adequate to support even double the present population. He would ask the House to consider the number of acres in the kingdom, and the proportion of population. Four acres properly wrought were sufficient to maintain a family of five persons. Now he found by the census of 1831, the whole number of families in England and Wales was 2,941,874, or a gross population of 14,000,000, allowing four or five persons to each family. The population now might, however, be considered as 16,000,000 or 3,500,000 of families. Each family then, having five acres, would require 14,000,000 of acres for their total subsistence. There were about 37,000,000 of acres in England, of which about 5,000,000 were not arable. So the number of acres available might be taken at 32,000,000. Out of this number only 14,000,000 were required for the present population, so there was actually a surplus of 18,000,000 of acres. Under these circumstances, he maintained there was no overplus population—and if people were allowed to occupy land and to labour for their support in that form, there

would be ample subsistence for double the present population, and the labour market would be greatly lightened. These views he was aware were different from those generally entertained—but there were strong proofs that his views were correct. Wherever the allotment system had been introduced an improvement in the condition of the district was perceptible, and also a great decrease in the poor-rates. He could show that this was the fact, from the statements published by the Labourers' Friend Society, and from other sources. He considered that no real good would be effected until the present system with regard to agricultural management was changed, and a larger number of persons were allowed to subsist themselves by the cultivation of land. Something of this sort must be done, and, in addition, it would be necessary to have some counter-acting power in favour of labour against the operation of capital. It was indispensable to make the rich responsible for the condition of the poor. That could only be effectually done by the occupancy of land, or the restoration of the old Poor-law. He was of opinion that as long as the present system went on, it was necessary that a Poor-law should exist, and that wages should be augmented from the poor-rates. It was admitted that machinery acted unfavourably for the working classes, and it was therefore proper that a control of some kind should be introduced. In the state of the country it was requisite that the laws enhancing the price of provisions should be removed. He would not join in censuring the sliding-scale of the Government, and giving a preference to a fixed duty, for he could not understand how the advocates of free-trade could wish to retain any fixed duty. He was hostile to both measures. The free-trade advocates could not consistently adopt any other course than that of a total repeal. While he maintained the necessity for small holdings he was willing to admit this course would be of no use unless a better system of farming land was introduced. In Ireland small holders could never do good until taught how to manage the land in a better way. A great deal had been said about the advantages of emigration. He could not see any necessity for resorting to this step; though he was friendly to the proposition to give facilities for emigration. He might be allowed to remark, in connection with what he had

said about the advantage of small holdings, that Belgium was an evidence of the benefit of this system. The prosperous state of that country was owing to the small holding system which prevailed there. Allusion had been made to the peaceable and quiet disposition of the people under their severe privations. The people certainly kept an awful silence on the subject of their sufferings, but he feared it was because they had no confidence in the Government, and that they were of opinion it was hopeless to expect redress from that House. If, however, the House did not show a disposition to inquire into the people's sufferings, and to redress their grievances, he feared the people would adopt means to redress their wrongs, which he should regret to see. Before the evils could be cured, there must be a thorough reform in the representation.

Viscount Palmerston was anxious to express his regret that he could not vote for the resolution of his hon. Friend. He could not do so for the reasons stated by the noble Lord, the Member for London, because the motion was so drawn as to be open to considerable objection in point of technical form, and, if carried, would not lead to any beneficial practical result. If, however, he did not vote for the motion, it was not from any indifference to the distress to which it related, nor because he was in any degree incredulous as to the extent and severity of that distress. It was impossible for any man who had listened to the debate, or who had attended to the facts which came to the eyes and ears of every man, to doubt that there did at this moment prevail an excess of suffering in extent and amount unequalled at any former period. He could assure his hon. Friend that there was no person more anxious than he was to apply some remedy to the existing distress. Therefore when he stated that he agreed in the reasons given by the Government for objecting to this particular motion, he could not think that the course pursued by the Government in this debate was one which he would have wished or expected a Government to take. He should have expected them not only to have shown the technical objection by which it was capable of being opposed, but he would have expected that they would have contented themselves with expressions of regret for the distress, and not have stated to the House some intention, or opened some views of a practical

remedy; but it seemed that they were not to receive any such assurance from the Government. It appeared that the Government were in a few weeks about to prorogue the Parliament without having mentioned one step they would take to alleviate the distress. The Members on the one hand were to be sent to their grouse shooting, to their pheasant shooting, to their hunting, and to their Christmas festivities, and that so they were to rest till the month of February, as if the country was in a state of perfect prosperity, as if the people were thriving, happy, and contented; and, on the other hand, the Government was to remain during that period in total inactivity, with their arms folded and entirely motionless, without making an appeal to Parliament, waiting for they knew not what events, expecting relief they knew not when or whence, but looking, he supposed, for some miraculous interference to relieve the evils which they did not attempt to remove. He might be told that they looked to the approaching harvest for relief; if they did, he warned them that they would be leaning on a broken reed. The harvest might be good, but it could not be abundant. The sun of summer could not repair the damage that had been done by the rains of autumn. The seed that had grown might yield a plentiful return; but they all knew that many a seed that had been sown in the autumn would not give any return. In spite, therefore, of the reproof given the other evening to the hon. Gentleman near him, he could not have the credulity to expect material relief from that source. It might, then, be said that the new tariff would afford great relief. That tariff was ushered into the House by the avowal of principles which all must approve, but unfortunately those principles had not been carried out to their full extent, and even that part of the tariff which would ultimately do the greatest good to the country had been postponed in its operation to such a period that it would be idle to expect that it would produce any effect as a remedy for a pressing evil. If the tariff would not afford the remedy, to what were they to look? Did they expect that private contributions would continue to supply the wants of the suffering people? That was impossible. Private charity had its limits, and that which was given in private charity was necessarily withdrawn from the employ-

ment of labour. Was it, then, the intention of the Government before the Parliament separated to propose a vote from the public funds? Such a vote to be effectual must be a large one, and the effect must be to transfer and not to take away the pressure. He said that if this was all the Government meant to tell the House of their intentions, they were not performing the duty they owed to the country, nor doing what Parliament had a right to expect. The Government would tell him, as the late Government told them last year, and as they told the hon. Gentleman the Member for Whitehaven, that those who objected to the course of the Government ought to propose another. They (the Opposition) did propose another, and they had proposed it again. The present evils had arisen because the channels of commerce had been choked up. The late Ministers said that they would clear these channels, and would restore the commerce to a healthful condition. The world was large enough, and mankind was sufficiently numerous to consume all that the most industrious manufacturers could possibly produce; but men could only purchase these commodities by the produce of their own labour. So long as the Legislature prevented the exchange of this produce for manufactures, commerce could not go on, and distress must from time to time press heavily on the industrious classes. He, therefore, said that the change which the late Government had proposed, and the reduction of the duties upon corn and upon sugar would have given this relief. What was the present state of our intercourse with the United States of America? The merchants there owed us large sums of money. This produced great distress in this country. They could not pay for what they had, and therefore our manufacturers could not send out more goods. Unless we took their produce they were entirely destitute of the means of payment. The books of our traders were full of debts, and the American debtors had storehouses full of corn, with which they would pay, if they were permitted. He said that we ought to change our course. Such an emergency as the present ought to overrule all petty considerations and all false pride of adherence to recent acts. If the Government found the country labouring under great distress, and if they were shown the means by which this distress ought to be alleviated,

ated, they ought to avail themselves of the power which they possessed in Parliament, and afford that relief to a suffering people which a change in the Corn-laws would produce. Again, he said, that it had been shown and proved, that if they diminished the duty upon sugar, they would not only give immediate scope to our commerce, but also enlarge the comforts of the lower orders. In answer to that proposal, he might be told of some mysterious negotiations going on with the Brazils, and he said at once that they ought not to stand in the way of such a reduction. With regard to those negotiations, let them end in whatever way they might, they ought not to prevent this diminution. Treaties! why we had treaties with the Brazils in which we had all that we could ask, for the suppression of the slave-trade. By the treaty of 1826, the Brazilian government agreed that after the expiration of three years it should not be lawful for any subject of the Emperor to engage in the slave-trade, either directly or indirectly, and if he did, he was to be deemed and tried as a pirate. That was the utmost that the Government could now get by any new treaty. If the Brazilian government did not faithfully execute that treaty now, which expressly prohibited the slave-trade, what reason had they to believe that any new treaty would be of any great value? If it were found, that the government of the Brazils would not execute the treaties into which they had entered, he had shown in the case of Portugal what power the Parliament would grant to enforce it; and he thought it would be better for the Government to come down and ask for that power, rather than make fresh concessions to renew old and violent treaties. He said then that he would make the corn-trade free for the purposes of supply—not without duty, for he had always contended that they might by a small duty on corn, and that such a duty would not interfere with the supply—he would only lay such a duty upon corn and sugar as would afford a revenue and leave to commerce a free action. The people should be allowed to get corn wherever they pleased, paying only such duties as would enable the buyers to dispose of it profitably in the home markets. Those were the remedies which the late Government proposed, and he contended that the present Government ought to express to

Parliament, and now was the time for such an expression, what their intentions were. They ought to say whether they meant to do anything or nothing—whether they meant to propose measures to alleviate the distress, or whether they would leave things to take their course, and because they would not adopt the measures proposed to them, leave the distress to go on till it arrived at such a pitch as would render relief almost impossible. While he said this, however, he was not one of those who looked with despondency on the permanent condition of the country. Although the distress was great, it arose from causes within control, and if those causes were removed, the country had resources enough, and the people had sufficient energy to restore us to our former course of prosperity, and to carry out our high destiny as a nation. At the same time he did not think, do what they might, that our commerce with the continent of Europe could receive any great augmentation. Where great nations near together had conflicting interests, national jealousies frequently prevented the adoption of those measures which sound commercial principles would dictate. It was said that the late Government had prevented a trade with France. Those who said so knew not how commercial jealousies animated, not only the popular mind there, but also entered into the minds of the Ministers themselves. He could show representations made to him, when Count Molé was at the head of the government, of the influence which this commercial jealousy had, and it had been lately seen that the present government in France, who were not affected by the course which the English Government might have taken in 1840 or 1841, still objected to any altered commercial policy. The experience they had lately had of the result of these negotiations, unfortunately showed that we could not expect any great extension of our commerce with France till the public feeling there should alter with respect to commercial policy. Then again with respect to Germany, we had unfortunately preserved such heavy duties on timber and on corn, that we had raised up manufactures there which would interfere for a long time with our commerce. It was therefore to more distant regions that he looked for future prosperity. We must look to the rising nation that inhabited the North American continent. There we

were met with our Corn-laws, and till we altered those Corn-laws, we should be crippled and confined in our commercial intercourse. We must look also to the South American nation. There again we were met by our heavy duties upon sugar, and till we modified them we could not expect to carry on our commerce with South America to the extent it was possible. We must look again to Africa; and we must look especially to India and to China. With regard to those three great fields for our commerce, notwithstanding what it had pleased the hon. Gentleman opposite to state as to the effect of our foreign policy upon our commercial interests, he would venture to say that the measures adopted by the late Government had been attended with results which must prove in the highest degree beneficial to the commercial interests of this country. The great measures which they took in Afghanistan had opened in that country—had opened a vast field for our commerce in that extensive region which was watered by the Indus, and which embraced the greatest portion of central Asia. And if the present Ministers did not have the weakness and pusillanimity to abandon the position which their predecessors had obtained for them, they would secure to this country a great degree of commerce in that important country. But he did not believe that they would abandon that position, and he would tell the House why. Because one of the first acts of the Government when it came into office, with respect to the Indian policy, was to write to Lord Auckland, requesting him to continue to act as Governor-general, a request that could not have been made if the Government did not approve of his policy, and did not mean to continue that policy. [Sir James Graham gave a sign of dissent.] Did the right hon. Baronet dispute the fact that the President of the Board of Control wrote a letter to Lord Auckland very soon after the Government came into office, urging him to continue in the government of India? He said that when this was done it was a proof that the Government approved of his policy, and meant to pursue it, because he could not suppose that they intended to entreat him to stay in September, and then to tell him in December that they could not concur in his policy. [Cheers.] He said then of India, in spite of the taunts and cheers

of those who, in his opinion, knew very little of the subject, he said that the position which the late Government had established in Central Asia had opened to us a great field of commerce. He said more. He said that the operations they had commenced in China would also tend greatly to extend our commerce. The right hon. Baronet the Secretary for the Home Department had, on a former occasion, told them of the great danger they would incur in entering upon a war with 300,000,000 of men. That danger had not yet appeared, because the only difficulty we had hitherto experienced was to find troops to garrison the places we had conquered almost with a single blow. He, therefore, thought that the 300,000,000 of men were to be more considered for the commercial advantages we should gain from them, than for any dangers they would cause us to incur in war. Only last year he had been shown by a merchant a piece of goods brought from Chusan, which could have been sent from this country at half the price at which it was purchased in China. If such a field were opened, what an advantage would it afford to our commerce? Those who derided this advantage were little acquainted with the subject; they little knew how much the existing distress would be alleviated by such an increased demand for our manufactures. These were the reasons why he said that whatever prospective advantages these fields of commerce would open to us, those advantages would not be immediately felt. They must take time before they came into operation; but the distress was urgent, and some remedy must be applied. He, therefore, entreated the Government not to stand upon a pedantic adherence to laws already passed, and measures already proposed. They might depend upon their party to carry through any new measures, as they had carried other measures in the present Parliament; and if they required any further assistance they would receive it honestly from that (the Opposition) side of the House. He conjured them, if they would not now state their measures, at least to revolve those considerations in their mind. He believed that this was not a temporary distress that would pass away, but that something must be done. On the one hand the Government had these great evils, and on the other hand they had the remedy which was capable of diminishing

them. He hoped that they would adopt that remedy, come from whence it might; he trusted that no false pride would stand in the way, and that, in the performance of their duty, they would stand upon higher ground than a mere adherence to measures which might have been thought at a former period the best that they could hope to carry.

Lord Stanley said, it was impossible to listen to the speech of the noble Lord, without in the first place condoling with him for the forced idleness which his creative mind must undergo during the next autumn, when he would have no other occupation than grouse shooting and pheasant shooting, and must leave to others the cares of those affairs of State in which he had been so long and so actively engaged; but when he asked what were the intentions of the present Government, and asked whether they intended to sit by with folded arms, and not to apply themselves to the present distress, he assured the noble Lord that he took a very imperfect view of the difficulties which he and his friends had left behind them. He admitted, with the noble Lord, that the cause of the distress of this country was much beyond the reach of human legislation. ["No, no."] No! would any one tell him that much of the difficulty and distress did not arise from causes beyond the power of legislation? Would the boldest free-trader in the House say that there had not been the greatest aggravation of distress in consequence of the three or four years of deficient harvests? [Cries of "you aggravated it."] They aggravated it. Then hon. Members did not deny that much of the distress arose from causes without the reach of human powers ["the Corn-laws."] He would not be tempted to enter into that question, which had been discussed over and over again, but no one could tell him that with perfect freedom of trade—he did not mean the 8s. duty of the noble Lord—there must not be a diminished capital applicable to the purchase of manufactures, by the loss of some 1,000,000*l.* sterling spent in buying food to make up for a bad harvest. He might be told that there would be a mitigation of the evil to the manufacturer by the free admission of foreign corn. He would not enter upon that topic, but *this mitigation would not make up for the loss of wealth arising from the deficiency of corn grown within the country.* He

told the noble Lord also that her Majesty's Government did look forward with more hope and with less despondency than the noble Lord seemed to wish to impress upon the minds of the country; they did look forward to and fairly anticipate a harvest much more abundant and much earlier than of late years. But the noble Lord said that many a seed had been sown which the summer's sun would not ripen to perfection. He told the noble Lord that many a political seed had been sown of which they had never reaped the fruits, and when the noble Lord talked of the distress and difficulties of our commerce, and told him to look round for fresh fields to be opened to us, he must say that he could look to none of the quarters of the universe to which the noble Lord had directed his attention, without finding that British commerce, that British enterprise, and that British skill were cramped and crippled by the unavoidable results of the policy adopted by the noble Lord. The noble Lord stated that the nations in Europe had become our manufacturers. He stated that political jealousies and the long duration of peace had led them to become manufacturing nations; and as this had been the effect of the long continuance of the peace of Europe, the noble Lord stated, and truly so, that we must look to immediate foreign nations as more and more our rivals, and look to more distant parts for markets for our produce. Now let him follow the noble Lord into those more distant parts, and let him show to the House the seeds which the noble Lord had sown, and the harvest which the present Government had to reap, and what cares and anxieties, whilst the noble Lord was enjoying his grouse shooting and partridge shooting, would engage the attention of those who had succeeded to the duties of office and the cares of State, and would prevent them from leading an idle, and he hoped not so unprofitable, a life as that of the noble Lord. The noble Lord said, "Look to North America! There the Corn-laws are a check to commerce." He (Lord Stanley) also said, look to North America, and let him ask whether there were no jealousies or differences engendered by the noble Lord, and allowed to fester under his administration? ["No."] What! were there no differences between this country and the United States? [An hon. Member: How

long had they lasted?] He believed that he had not interrupted the noble Lord in the course of the noble Lord's speech; and he hoped, therefore, he might proceed without such interruption. But did the noble Lord tell him that between this country and the United States, for the last several years, there had not been serious causes of difference and uneasiness, leading to anxiety, checking commerce, and diminishing intercourse between the two countries? Did the noble Lord tell him, that when he and his Colleagues succeeded to the administration of the Government there were not three or four questions unsettled, and which for a long time had been unsettled and open, and which at the period of the noble Lord's quitting office had placed this country and the United States upon a footing of most serious anxiety and uneasiness as to their result? And those causes, which, however, he hoped were about to be removed, but if removed it would not be owing to the policy or wisdom of the noble Lord—those causes, he said, if they were removed, would be one of the great evils, one of the great mischiefs, which it had been left to the present Government to undo, and which they found in a most dangerous state as left by the noble Lord. Then the noble Lord told them to look to South America, to states on the other side of the Pacific and Atlantic; and what did they see there? Even there the hand of the noble Lord was seen. Blockades in this port; commercial difficulties in that state; political differences in another. In Mexico, Buenos-Ayres, and, in fact, in every state of South America, commerce had been checked by the policy of the noble Lord. The noble Lord then told them to look to the coast of Africa. He would merely ask the noble Lord whether he had ever heard of any differences at Portendic? The noble Lord had appealed to China as one of the triumphs of his policy. The country, he was sure, would look to China with no satisfaction, and with little pride; they would, on the contrary, regard it as a subject exciting much pain; they would believe it to be a war of doubtful character, and unnecessarily brought on—a war waged against an unwarlike people, who were slaughtered without glory and almost without resistance. It was a war, not only questionable in its character, but most uncertain as to its termination—a termination which no

one could foresee, while all men most earnestly desired it. The noble Lord, after paralysing by his policy our trade with China, told the House that the only difficulty which we had to contend with in that part of the world was to find troops enough to garrison the places which we conquered; and after all the embarrassments and the expenses to which that war had given rise, the noble Lord came forward and referred to the Chinese war as one of our greatest triumphs, and, above all, as one of our greatest commercial triumphs. But there was one triumph greater still, which the noble Lord kept in reserve, and that was the happy condition of our commerce in the countries bordering upon the Indus. The world might be wide enough for the most unrestrained commerce; but yet was not wide enough for the universal meddling of the policy pursued by the noble Lord and his Colleagues. Having meddled in every quarter of the globe, the noble Lord left to his successors in office the task of repairing the embarrassed finances and reviving the drooping commerce of India—embarrassments and depressions which arose solely out of the noble Lord's policy. However he might differ from the noble Lord on the topics to which he had been advertising, there was one upon which they fully agreed—one in which they cordially joined, and that was in deprecating the motion of the hon. Member for Greenock. While the noble Lord stopped to pronounce an eulogium on the departed bills introduced by himself and his Colleagues, and while he told the House of all that those bills would have effected if the voice of Parliament and of the country had not pronounced their condemnation, the noble Lord was as ready as any hon. Member on the Ministerial side of the House to join in deprecating the motion of the hon. Member for Greenock. He concurred in deprecating that motion, for he thought that it could not be attended with any advantageous result. It could lead to nothing but embarrassment if the House of Commons were to engage in an inquiry embracing every possible topic and likely to lead to no possible good. The noble Lord directed the attention of the House, at considerable length, to the distresses of the country—distresses which every one acknowledged, but for which no one suggested a remedy. Hon. Members who took part in the debate adopted the prin-



ciple pursued by the noble Lord; they talked of public distress—they complained of the Poor-law—they denounced the Corn-laws—they objected to the mode in which we met the difficulties arising out of the monetary system of the United States—they found fault with the war in India—they were equally loud in their complaints against the war in China—the increase of the population alarmed them to excess—and the new tariff received no small share of their condemnation. The hon. Member for Rochdale told the House that a subdivision of the country into four-acre farms would be the great panacea for all our distresses; and another hon. Member, with no less wisdom and equal earnestness, assured the House that reciprocity treaties and free-trade were all that England wanted to make her the most prosperous of nations. But then came an equally strenuous demand from another quarter for education—for emigration—for an alteration in the sugar duties, and in those relating to the importation of timber. Every one of these was held by some individual or another to have mainly led to the present embarrassments of the country, and it was therefore said, that it was absolutely necessary that a committee of the House of Commons should investigate the effects of these various causes, the relation which they bore to each other, and the results which their removal was calculated to produce. He had listened with the greatest attention to the speeches of the hon. Member for Inverness, and the right hon. Member for Coventry, and he found the greatest difficulty in seeing how they made out a case to show that the existing distresses in England arose solely out of the monetary embarrassments of the United States; but yet he was quite willing to admit, that to some extent the pecuniary difficulties by which America was affected must have the effect of depriving us of one of our best customers. The evil, however, did not arise from our refusing to take their commodities, but it arose from their inability to take ours. During the last three years our exports to the United States of America had sunk to one-half, while our imports had remained stationary, and now our imports greatly exceeded the value of our exports. He felt that he owed some apology to the House for having troubled them, at that hour of the night, even at the length at which he had addressed them. He should

not enter into the great variety of topics in which he had been invited to engage—they were too wide for examination before a committee, and too extensive for any investigation at the Bar of that House at any period of any Session; but he could not sit still and listen to the boasts of the noble Lord opposite without looking round at the difficulties which his policy and that of his Colleagues had created—a policy tending to check the commerce of Great Britain in every quarter of the world, to increase the natural and unavoidable difficulties by which she was at this moment surrounded, and to leave her without any hope of success, or without the prospect of any mitigation of her sufferings.

Mr. E. Ellice, in explanation, stated, that it was clear that his noble Friend did not understand the purport of his observations. He had not imputed the distress that prevailed throughout the country solely to the state of the monetary system in the United States. So far from saying that, he did not consider that the Corn-laws had not operated strongly in the matter, he had distinctly stated that they had mainly contributed to produce the present state of distress.

Mr. O'Connell moved the adjournment of the debate.

Sir R. Peel hoped, that under the pressure of public business, the hon. and learned Gentleman would not persist in his motion when he regarded the present state of public business.

Mr. O'Connell: The people are starving, and therefore we should stand on no point of courtesy.

Mr. Hawes would tell the Government, and hon. Gentlemen opposite, that they (the Opposition) were determined that this debate should be adjourned. If Government had been so anxious to get on with the public business, why did they not take care to form a House on Monday night. He himself had wished to address the House; but although Member after Member had risen on the Opposition side—until the noble Lord the Member for Tiverton elicited that remarkable, he might almost say, the indiscreet speech of the noble Lord the Member for Lancashire, not a single speaker had risen on the other side that night, to speak on the question. It was not fair, therefore, to say that they (the Opposition) occasioned delay. Nor did such a complaint, under any circum-

stances, come with a good grace from the other side of the House, when it was remembered that the former Government was met night after night by amendments on going into committee of supply: nay, to such an excess was this system of opposition carried against the Whig ministry, that it was found necessary to frame a new standing order to meet the inconvenience.

Sir *R. Peel* said, he could assure the House, that no one could have been more surprised, or more disappointed, than the Members of her Majesty's Government were on Monday last, on learning that no House had been made. On that day he and most of the principal Members of the Government had been occupied till half-past four in the investigation of that—he knew of no proper word to describe it—that scandalous occurrence which had taken place on the preceding day. He should certainly take the sense of the House on the adjournment of this debate. Great public inconvenience was caused by the delay of a vote in committee of supply, and therefore he hoped that, if after a division hon. Gentlemen opposite should succeed in forcing an adjournment, that the adjournment would take place till to-morrow, and that this question would then be allowed to take precedence of every other business.

General *Johnstone* said, that the only vote of supply the Government wanted was for their own pay, and that he did not consider a matter of such importance that it ought to supersede the question of the distresses of the country.

The House divided on the question that the debate be adjourned :—Ayes 84 ; Noes 173 : Majority 89.

#### List of the AYES.

Aldam, W.	Duncombe, T.
Bannerman, A.	Dundas, Adm.
Barnard, E. G.	Easthope, Sir J.
Bernal, Capt.	Ellis, W.
Blake, M. J.	Elphinstone, H.
Bowring, Dr.	Evans, W.
Brodie, W. B.	Ewart, W.
Brotherton, J.	Fielden, J.
Bulkeley, Sir R. B.W.	Forster, M.
Busfield, W.	Gibson, T. M.
Callaghan, D.	Gill, T.
Cavendish, hn. G. H.	Gordon, Lord F.
Childers, J. W.	Gore, hon. R.
Christie, W. D.	Hall, Sir B.
Cobden, R.	Hastie, A.
Colborne, hn.W.N. R.	Hindley, C.
Collins, W.	Holland, R.
Crawford, W. S.	Hume, J.
Duncan, G.	James, W.

Johnson, Gen.  
Langton, W. G.  
Layard, Capt.  
Leader, J. T.  
Marshall, W.  
Marsland, H.  
Martin, J.  
Morris, D.  
Muntz, G. F.  
Murphy, F. S.  
Napier, Sir C.  
Norreys, Sir D. J.  
O'Brien, J.  
O'Connell, D.  
O'Connell, M. J.  
O'Connell, J.  
O'Connor Don  
Palmerston, Visct.  
Parker, J.  
Pechell, Capt.  
Phillips, M.  
Plumridge, Capt.  
Pryse, P.  
Redington, T. N.  
Ricardo, J. L.

Russell, Lord E.  
Scholefield, J.  
Scott, R.  
Stansfield, W. R. C.  
Strutt, E.  
Tancred, H. W.  
Thornely, T.  
Townley, J.  
Tufnell, H.  
Turner, E.  
Villiers, hon. C.  
Wakley, T.  
Walker, R.  
Wallace, R.  
Ward, H. G.  
Watson, W. H.  
Wawn, J. T.  
Williams, W.  
Wood, B.  
Wyse, T.  
Yorke, H. R.

#### TELLERS.

Hawes, B.  
Buller, C.

#### List of the NOES.

Acland, Sir T. D.	Dickinson, F. H.
Acland, T. D.	D'Israeli, B.
Adderley, C. B.	Douglas, Sir H.
Ainsworth, P.	Douglas, Sir C. E.
Antrobus, E.	Douglas, J. D. S.
Arbuthnott, hon. H.	Duffield, T.
Arkwright, G.	East, J. B.
Bailey, J.	Eastnor, Visct.
Bailey, J., jun.	Egerton, W. T.
Baillie, Col.	Egerton, Sir P.
Baring, hon. W. B.	Eliot, Lord
Barneby, J.	Escott, B.
Beckett, W.	Estcourt, T. G. B.
Benett, J.	Farnham, E. B.
Beresford, Major	Fellowes, E.
Bernard, Visct.	Ferguson, Sir B. A.
Blackburne, J. I.	Feilden, W.
Boldero, H. G.	Ferrand, W. B.
Borthwick, P.	Fitzroy, Capt.
Botfield, B.	Fitzroy, hon. H.
Bramston, T. W.	Fleming, J. W.
Buck, L. W.	Flower, Sir J.
Buckley, E.	Follett, Sir W. W.
Buller, Sir J. Y.	Ffolliott, J.
Campbell, A.	Forbes, W.
Cardwell, E.	Forester, hon. G. C. W.
Chapman, A.	Fuller, A. E.
Chelsea, Visct.	Gaskell, J. Milnes
Chetwode, Sir J.	Gladstone, rt. hn. W. E.
Clayton, R. R.	Gladstone, T.
Clerk, Sir G.	Gordon, hon. Capt.
Cochrane, A.	Gore, M.
Cockburn, rt. hn. Sir G.	Gore, W. O.
Colville, C. R.	Goring, C.
Compton, H. C.	Goulburn, rt. hon. H.
Corry, rt. hon. H.	Graham, rt. hn. Sir J.
Cripps, W.	Granby, Marq. of
Darby, G.	Greenall, P.
Dawney, hon. W.	Greene, T.
Denison, E. B.	H. Grimsditch, T.

Grimston, Visct.	Mundy, E. M.
Grogan, E.	Newport, Visct.
Halford, H.	Norreys, Lord
Hamilton, Lord C.	Packe, C. W.
Hanmer, Sir J.	Pakington, J. S.
Harcourt, G. G.	Palmer, R.
Hardinge, rt. hon. Sir H.	Patten, J. W.
Heathcote, G. J.	Peel, rt. hon. Sir R.
Henley, J. W.	Praed, W. T.
Herbert, hon. S.	Pringle, A.
Hervey, Lord A.	Rashleigh, W.
Hinde, J. H.	Reid, Sir J. R.
Hodgson, R.	Repton, G. W. J.
Houldsworth, T.	Richards, R.
Hope, hon. C.	Rolleston, Col.
Hornby, J.	Round, C. G.
Hughes, W. B.	Rushbrooke, Col.
Hussey, T.	Sanderson, R.
Jackson, J. D.	Scarlett, hon. R. C.
James, Sir W. C.	Scott, hon. F.
Jermyn, Earl	Seymour, Sir H. B.
Johnstone, Sir J.	Shaw, rt. hon. F.
Jolliffe, Sir W. G. H.	Sheppard, T.
Jones, Capt.	Smith, A.
Knight, H. G.	Smyth, Sir H.
Lawson, A.	Somerset, Lord G.
Lefroy, A.	Sotheron, T. H. S.
Legh, G. C.	Stanley, Lord
Leicester, Earl of	Stewart, J.
Liddell, hon. H. T.	Stuart, H.
Lincoln, Earl of	Taylor, T. E.
Litton, E.	Taylor, J. A.
Lockhart, W.	Thesiger, F.
Lowther, J. H.	Thompson, Ald.
Lyall, G.	Trench, Sir F. W.
Lygon, hon. Gen.	Trevor, hon. G. R.
Mackenzie, W. F.	Trollope, Sir J.
Maclean, D.	Vane, Lord H.
M'Geachy, F. A.	Verner, Col.
Mainwaring, T.	Waddington, H. S.
Manners, Lord C. S.	Wilbraham, hon. R. B.
March, Earl of	Williams, T. P.
Marsham, Visct.	Wodehouse, E.
Masterman, J.	Wood, Col. T.
Meynell, Capt.	Young, J.
Miles, P. W. S.	TELLERS.
Morgan, O.	Fremantle, Sir T.
Morgan, C.	Baring, H.

On the original question being again put,

Mr. *Hume* moved that the House do now adjourn.

Sir *R. Peel* observed, that it was manifest the real sense of the House was marked against the adjournment; but he did not mean on such an occasion to engage in an unprofitable contest. He trusted, however, that the hon. Gentleman would consent to his motion being negatived without a division.

Motion negatived.

Debate adjourned to the following day.

*SOUTH AUSTRALIA (GOVERNMENT AND REVENUES.)*] On the motion that the re-

port on the resolutions on the South Australian Acts be brought up,

Mr. *Hume* opposed the motion. The resolutions involved an expenditure of 400,000*l.* of public money, and had been too hurriedly passed through the previous stage.

Sir *R. Peel* suggested that the sense of the House should be taken on the bringing up of the report. The discussion might be taken at a future stage.

The House divided:—Ayes 50; Noes 9: Majority 41.

#### List of the NOES.

Brotherton, J.	Pechell, Capt.
Cobden, H.	Wallace, R.
Duncombe, T.	Wawn, J. T.
O'Brien, J.	TELLERS.
O'Connell, D.	Hume, J.
O'Connell, J.	Wood, B.

Report brought up.

House adjourned at a quarter before two.

### HOUSE OF LORDS,

*Thursday, July 7, 1842.*

*MINUTES.] BILLS. Public.*—1<sup>a</sup> Right of Voting (Dublin University); Sudbury Disfranchisement; Mines and Collieries; Dean Forest Ecclesiastical Districts.

*Committed.*—Tithe Commutation; Custom's Acts (The Tariff.)

*Private.*—1<sup>a</sup> National Floating Breakwater.

2<sup>a</sup> Liverpool and Manchester Railway; Duke of Buckingham and Chandos Estate: Reading Cemetery; London Bridge and Royal Exchange Approaches.

*Reported.*—Ross and Cromarty Court House; Blackburn and Chorley Road; Toxteth Park Paving and Sewerage (No. 2.)

3<sup>a</sup> and passed:—Deptford Pier; Cauvin's Estate; Caland's (Higgen's) Estate; Viscount Lorton's Estate; Liverpool Improvement.

*PETITIONS PRESENTED.* By Lord Campbell, from Miners and others of Silkstone, in the County of York, of the Mugg Hill Pit. In the parish of Thornhill, the Crop in Silkstone; and by Lord Hatherton, from Staffordshire, against Parts of the Mines and Collieries Bill, and praying for Inquiry.

*LIVERPOOL IMPROVEMENT.]* On the motion of the Earl of Shaftesbury the Liverpool Improvement Bill was read a third time.

The Duke of *Richmond* wished to have two clauses struck out, by which the public-houses in the town were to be kept closed from twelve o'clock on Saturday night until one o'clock on Sunday afternoon. The House of Commons had refused to put similar clauses in a general bill, and he saw no reason why they should be inserted in a merely local measure. It was unfair to the houses on one side of the river that they should be shut to that hour of the day, when people who were resolved to

have drink could easily get over to the Cheshire side and find all the public-houses open. He would, under these circumstances, move that clause 247 be struck out.

The Bishop of *Salisbury* supported the clauses, which, he observed, had met the approbation of nearly all parties in the town. It had been proved that one-fifth of the commitments in Liverpool were of drunken persons, who were taken up as disorderly at an early hour on Sundays. He had been requested by his right rev. Friend the Bishop of London to state the very good effects which had followed the closing up of the public-houses in the metropolis from midnight of Saturday until one o'clock on Sunday afternoon.

The Bishop of *Norwich* also approved of the clauses in the bill, and concurred in the remarks made by his right rev. Friend who had preceded him. The police force of Liverpool, he added, was obliged to be increased on a Sunday, on account of the drunkenness, and he hoped that their Lordships would concur in the bill in its present shape, and that the noble Duke would not press his objection.

Lord *Skelmersdale* said, he should vote for the clauses, which had been supported by the magistrates of Liverpool of all shades of political opinions.

The House divided on the question that the clause stand part of the bill:—Contents 48; Not-Contents 15: Majority 33.

The Duke of *Richmond* then moved that clause 248, prohibiting the sale of liquors to persons apparently under the age of sixteen, be expunged.

Their Lordships again divided on the question that the clause stand part of the bill:—Contents 38; Not-Contents 32: Majority 6.

Bill passed.

CUSTOMS' ACTS—THE TARIFF.] The Earl of *Ripon* moved that the House go into committee on the Customs' Duties Bill.

Earl *Stanhope* begged to make a few remarks. The noble Earl, the other night, seemed to apprehend that he was going *seriatim* through all the items of this measure, of which he disapproved, but such was not his intention. He would state generally what he did object to. He objected, in the first place, to the reduction of duties on articles of luxury, unless it could be clearly shown that such reductions would give an increase to the revenue. He objected further to all such reductions of

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duties as would give a profit merely to the seller, and not benefit the consumer. He also objected to the reduction of duties on all articles where similar articles were grown or manufactured in this country, unless it could be shown that the present protection was more than necessary. He objected, too, to the reduction of the duties on timber, as most injurious to the interests of our American colonies. He objected, further, to the reduction of the duties on ores and metals, as altogether uncalled for. [A noble Lord: The noble Earl does not object to the whole tariff.] No; he approved of the reduction of the duties on coffee and rice, for instance, as being decidedly beneficial to the poorer classes. Complaints had been made of the slow progress of free-trade; but the complaint would not have to be made much longer. Her Majesty's Ministers had, by this new tariff, thrown open the flood-gates of a torrent, which they would find it utterly impossible to stem. One manufacture only had been excepted—silk; but the British manufacturer of this article need not flatter himself that he was safe amid the universal ruin; he was merely reserved to be offered up as a peace-offering to France on the first opportunity. The noble Earl had said that the tariff panic was fast passing away, but he was mistaken; he had that very day received a communication from North Devon, stating that there was no sale for either cattle or corn. ["Oh!"] Oh, oh! he could say oh! oh! too. Yes, he would repeat, that in North Devon there was no adequate sale for either cattle or corn; and when the effects of the tariff became to be known, the same would be the case all over the country. It appeared to him that some mistrust might naturally have occurred to the minds of her Majesty's Ministers, when they found that their indifferent majority the other evening was composed in a great measure of their political antagonists; they might have felt a mistrust, when they found this measure was hailed out of Parliament by the men whose avowed object was the disturbance of all the interests of the country. One of the leading Chartists, in reference to the tariff, had said:—"We are going on gloriously now; we shall soon have anarchy, and then we shall have our rights." Again, a hatter, in a large business, when asked his opinion of the tariff, said he did not care about it, for he should import all his hats from abroad; and when asked, what then was to become of his

workmen, replied very coolly, "Oh, the workmen will starve;" but no, the workmen would not starve, nor would they go into the new prisons prepared for them by the Poor-law commissioners; they would assert their rights; and he therefore called upon their Lordships, not merely from motives of humanity, but from motives of prudence, to pause before they agreed to this measure, which would infallibly throw out of employment immense multitudes of their countrymen.

The Earl of Radnor said, no doubt there was great distress, not only in the manufacturing districts, but among the agriculturists also, but that distress was assuredly not owing to the new tariff. If there was anything about the tariff likely to increase that distress, it was, that it did not go far enough; its faults were those, not of commission, but of omission. He had no doubt that some trades would be injured at first by the operation of the tariff—such, for instance, as glove-makers and shoemakers. He was satisfied, however, that they would ultimately experience no ill-effects from the tariff, and as regarded other articles it went much further. He entirely differed from the noble Earl as to the effects of the differential duties, as he believed them to be most mischievous—mischievous to the country, for whose supposed advantage they were imposed, and mischievous to the country by which they were paid. At the same time, differential duties, so far from being advantageous to the Exchequer, they occasioned a falling off in the revenue. The effect of these duties was to divert capital from its natural channels, and to hold out inducements to embark it in speculations which would never be entered into but for these duties. This was more particularly observable in our West-India colonies, where soils utterly unfit for the cultivation of sugar had been engaged in the produce of that article. The effect obviously was to divert capital from more profitable and advantageous means of employment to less profitable sources. They had been told the other night that these differential duties must be retained, because we compelled our colonies to take our manufactures. But he would ask whether, by this means, we were not doing an injury to both countries. Would it not be more reasonable and wise to allow our colonies to buy articles of manufacture where they could get them at the cheapest rate, and that we should be allowed to buy colonial produce where we could get it

cheapest. He was sorry to see in many parts of the present tariff these differential duties had been increased in a most extraordinary way. It was curious to watch the operation of some of these duties. For instance, take the differential duty on tallow; he found that the differential duty on that article in favour of our colonies was not less than 216 per cent. Now, he found that last year, with this enormous differential duty, the whole amount of colonial tallow imported was only 1,020 cwt., which was not the 90th part of the whole quantity imported. He should have thought that one of the very best things that the Government could do, would be to take the differential duties out of the tariff. He feared however, that instead of doing this, that amongst other cases of the kind, a new differential duty has been made for the advantage of the island of Ceylon, by imposing a differential duty of 100 per cent. on such a trifling article as cocoa-nut oil.

The Earl of Wicklow said, that before going into the committee, he must beg to protest against the course which the noble Earl at the Table (Earl Stanhope) had thought proper to adopt to-night. Having failed in argument to convince their Lordships, he now thought proper to appeal to the passions of the people, and to intimidate them by expressing a threat as to the course which individuals would take in case they were thrown out of employment. The partisans of the noble Earl must have the good sense to know that those who supported this measure had but one object in view, namely, the adoption of such a measure as would give employment, and promote the industry and activity of our manufactures. He was fully persuaded that the course taken by her Majesty's Ministers was one in every respect likely to increase the manufactures, and to promote the industry of the country. He was convinced, under the circumstances in which the country was placed, the improvements which had been made in every department of our manufacture, with our great wealth, and with the means of disposing of our manufactures, we might bid defiance to all competition with the rest of the world, and this was one of the reasons which induced him not to consider the bill now before the House as a final measure. He repeated it was his firm belief that it was but a first step in a course of more liberal policy. It gave him great satisfaction to express these sentiments, which

were the sincere conviction of his mind. The noble Earl had quoted the words of the First Minister of the Crown, to show that similar opinions influenced his mind; and it was because he (the Earl of Wicklow) believed that to be the case that he now gave this measure his support. He did not expect that the principles which were advanced so strongly would be attended with all the success which possibly their supporters might anticipate, because he believed that other nations might think, however conducive to our interests these principles were, they might not be so conducive to theirs. The noble Earl supported prohibition, because it was under prohibition that our manufactures had so thriven. It was prohibition which had brought our manufactures from infancy to their full and mature growth; but it did not follow that now—in their maturity—they should be supported by the same system. Other nations knew that as well as we did, and, not unnaturally, they were now desirous of adopting the very same principles which had so successfully fostered our manufactures. He therefore apprehended that the difficulties which they might expect would come not from home, but from other nations. They might say that we could not call upon them to adopt for their infant manufactures that system which we now applied to our matured manufactures. He was convinced that no argument which we could hold out to France, or America, or Prussia, could prevail upon them to enter upon that competition which we desired. France had already made a large increase to the duty on linens, and that, no doubt, would be most prejudicial to the linen manufacture in Scotland and Ireland. It might be said that it was strange, when we held out these hopes of liberality and free-trade, that other countries would not respond to them. It was not strange. He thought that they would find that the Prussian League and America would adopt the same system, and that as we relaxed the ties of our commerce other nations would tighten theirs. This he thought was a sufficient reason for the slow and gradual progress which her Majesty's Ministers had proposed, and on these grounds he approved of the principles laid down in the tariff. It went far enough, and not too far. He now wished to make a remark in reference to an observation made the other night by the noble Duke on the cross-bench (the Duke of Richmond). The noble Duke said, if the measure had been

proposed by the late Government it would not have been supported by a majority of their Lordships. The noble Duke meant to insinuate that those who sat on that (the Ministerial) side of the House would not have given it their support. He believed there were very few of their Lordships who had less pinned their faith to the sleeve of any Government than he had. Nevertheless, he would at once avow to the noble Duke, that he should have done as the noble Duke supposed—he should have voted against the measure. His reason was, because he should have thought the subject much too complicated, much too difficult, for him to form his own opinion upon. He would form his own opinion on a simple question, but in great complicated questions of State policy he should feel that he was giving too much to his own opinion if he felt that he was bound to follow it in opposition to the general policy of those whose political opinions he approved of. If her Majesty's late Ministers had proposed this measure, and if he had found it opposed by the leaders of that party to which he was attached, he should have acted with them and voted against it. But he was placed in an entirely different situation the other night. He found men in whom he had every confidence bringing forward a measure which he himself approved of, and which, too, he found was supported by the members of the late Government, and was only opposed by the noble Earl at the Table (Earl Stanhope). Under these circumstances he thought the noble Duke (the Duke of Richmond) need not be surprised, or at a loss to account for the large majority with which the second reading of the measure was carried.

Earl Fortescue did not intend to go into the general question, but had merely risen in consequence of an observation that had been made by the noble Earl (Earl Stanhope). The noble Earl stated that he had received a statement from the north of Devonshire, in which he was informed that there were no dealings in the markets, in agricultural produce, in that part of the country. Now it happened that he was connected with that part of the country, and had come from there within a day or two; and he felt bound to say that, as far as his information went, he was quite satisfied that the state of things described by the noble Earl—and which he very much doubted altogether—must be confined to a very small part of the country. When the

tariff was first circulated, it certainly excited a pretty general panic amongst those engaged in agricultural pursuits in that part of the country, but it lasted a very short time, and he believed that the markets were now in that state in which they were before the tariff was proposed. There had been no falling off in the price of corn, and he could say this without hesitation, as he had come from the north of Devonshire within the last day or two, and he might add, that everything there satisfied him that the alarm at the tariff was at an end. With respect to the tariff itself, he would only observe, that instead of thinking it went too far, he thought that it did not go far enough. He hailed it, however, with pleasure, as the first step in a right direction, and he hoped that the Government would be induced to proceed in the same path.

House in committee.

Earl Stanhope moved that the duty on oxen, cows, bulls, and calves, be taken by weight.

The Duke of Buckingham considered the tariff to be an alarming proposition, and cordially supported the amendment of the noble Earl.

Their Lordships divided on the question that the words proposed to be left out stand part of the question.—Contents 44; Non-contents 8: Majority 36.

Earl Stanhope next objected to the reduction of duty on seeds, and moved that this title be struck out of the schedule.

Amendment negatived.

Earl Stanhope then moved, that class 4, relating to woods, be struck out. Negatived without a division.

The classes were all agreed to.

The House resumed. Bill reported to be read a third time.

Their Lordships adjourned.

## HOUSE OF COMMONS,

Thursday, July 7, 1842.

MINUTES.] NEW MEMBER. M. Corbally, Esq., for Meath County.

BILLS. Public.—1°. Military Savings Banks; Turnpike Acts Continuance; South Australia; Ecclesiastical Jurisdiction; Chelsea Hospital; Militia Ballots.

2°. Slave Trade Treaties Continuance; Fisheries Treaty. Committed.—Grand Jury Presentments (Ireland).

Reported.—London Bridge Approaches Fund.

3°. and passed:—Perth Prison; Charitable Pawn Offices (Ireland); Districts Courts and Prisons; Primrose Hill.

Private.—1°. Calland's Estate; Lord Lorton's Estate; Cauvin's Estate; Pilkington's Estate.

3°. and passed:—Manner's Estate; Brewood School Estate.

PETITIONS PRESENTED. By Mr. Roebuck, from Devizes,

for preventing Bribery, and Extending the Franchise.—From Samuel Sims, for the Adoption of the Vote by Ballot.—From C. Brooker, for Inquiry into Bribery at Brighton.—From R. Torrens, Esq., for Inquiry into the affairs of South Australia.—By Mr. T. Duncombe, from Easingwold Union, against the Poor-law Amendment Bill.—From D. A. de Gajewski, to be Replaced on the Polish Refugee Pension List.—By Mr. Hume, from Thomas Bradfield, to take the Conservancy of the Thames from the Corporation of London, and place it in the hands of Parliamentary Commissioners; and from a Meeting at Cheltenham for Inquiry into the Treatment of Jacob Holyoake, punished for Blasphemy.—From Samuel Gordon, for the Restoration of Documents taken away by the Court of Chancery (Ireland).—From the Port of London, for an Alteration of the Law relative to the Merchant Seamen's Fund for Kilkenny, for a Provision in the Fisheries (Ireland) Bill, against the Use of Scotch Weirs.—By Mr. Grimsditch, from Bolton, against the Manchester, Birmingham, and Bolton Police Bill.

SAVINGS-BANKS.] Mr. Hume rose, in consequence of the notice which he had given, to move for a select committee to inquire into the proceedings of the commissioners for the reduction of the national debt, the commissioners for the management of Savings-banks, and the Lords Commissioners of the Treasury, with the monies of the Savings-banks, in the years 1836 to 1841 inclusive, by which proceedings a large sum had been added to the national debt without the sanction of Parliament. In the first instance he wished to observe, that his motion did not affect, and was not intended in any way to affect, the property or the credit of the Savings-banks. All he wished was to lay before the House a novel proceeding, novel at least, till within these few years, from which, if it were not checked, much evil would assuredly arise. A power had been assumed by the Chancellor of the Exchequer and the Lords of the Treasury to add as they pleased to the national debt, without coming before that House, as they ought to do, for the necessary authority. Since the national debt was first established, until the year 1836, no power had been assumed by any party to add to the national debt without the sanction of Parliament. But it appeared that between the years 1836 and 1841, the sum of 5,395,569*l.* had been added to the permanent debt of the country, without the previous knowledge and Sanction of Parliament. Such a thing was never known until the then Chancellor of the Exchequer (Mr. S. Rice) devised this mode to meet the financial exigencies of the day. He held in his hand the act of the 4th George 4th, cap. 92, which was entitled "An Act to Consolidate and Amend the Laws relating to Savings-banks," and in it he found not one word respecting Exchequer-bills, not one word connected with the national debt;

and yet, strange to say, it was under certain of the clauses of that act that the former Chancellor of the Exchequer, with the sanction of the Lords of the Treasury, had increased the national debt without the intervention of Parliament. It would be recollected, that in the year ending the 5th of January, 1837, the surplus revenue was 2,130,092*l.* In the five successive years, 1838, 1839, 1840, 1841, and 1842, there was a deficit, and the public was very much puzzled to know how the then Chancellor of the Exchequer contrived to carry on the business of the country without coming to Parliament. This remained a mystery until 1838, when he discovered the sleight-of-hand—as he might term it,—the manner in which the Treasury had been recruiting its finances, without paying the compliment to the House of Commons of requiring its authority, without in any respect requesting its sanction for their proceedings. If this power were allowed, why then the Government might raise any sum of money by funding the proceeds of the Savings-banks, which was the course taken, and creating a permanent 3 per cent. debt, without the trouble of coming to Parliament. In the years 1838, 1839, 1840, 1841, and 1842, the Chancellor of the Exchequer borrowed money from the Savings-banks nearly sufficient, with the surplus of 2,100,092*l.* of the year 1837, to meet the deficit of the revenue. He had found out how the matter was managed. When, for instance, the Chancellor of the Exchequer wanted 100,000*l.*, and there was a deficiency in the revenue, as of late years had generally been the case, he directed the commissioners of the sinking fund to take 100,000*l.* of the money deposited by the Savings-banks, and to apply that 100,000*l.* to the purchase of Exchequer-bills. Thus, so many Exchequer-Bills were taken from the Government; and at the end of the quarter the commissioners for the reduction of the national debt were directed to calculate what the current rates of stock were, and to pay over to the commissioners of the Savings-banks the amount borrowed—adding, by this means, to the funded debt of the country 100,000*l.* The hon. Member then proceeded to enumerate the addition made to the funded debt in consequence of this system, from October, 1836, to April, 1841, amounting to 5,395,569*l.* 3 per cents., and creating a charge upon the public of 163,940*l.* annually. The deficit for the years 1838 to 1842, inclusive, amounted to 6,209,120*l.* If they deducted from that

the surplus of 1837, being 2,130,092*l.*, it would leave a net deficit of 4,079,028*l.* But the Chancellor of the Exchequer had in that period borrowed from the Savings-banks, through the agency of the commissioners of the sinking fund, and without the sanction or knowledge of Parliament, 4,916,757*l.*, being actually 916,000*l.* more than the occasion required. The right hon. Baronet the Member for Tamworth had stated that when he came into office the deficiency was 10,000,000*l.*; but there was no such deficiency. The fact was, that when the late Ministry gave over their charge to the right hon. Baronet there was not a single shilling of arrear—all had been funded. When the right hon. Baronet assumed the Government of the country there were no arrears. His object, in making this motion, was not to censure one party more than another. What he contended for was, that Government had no right or power to take such steps as had been taken, in borrowing money from the Savings-banks, and adding to the funded debt of the country, without appealing to Parliament. In 1838, he had brought this subject before the House, and in a series of resolutions, one of which he would read, as it proved that he was perfectly cognizant of the evil which he wished to check. It ran thus:—

“That by the existing law the commissioners may buy, sell, and exchange the Government security of the Savings-banks as they may think fit; they may purchase Exchequer-bills, and exchange them for stock; they may sell out stock and purchase Exchequer-bills, thereby affecting materially the currency of the country, and changing the nature of the public debt, without the previous knowledge of Parliament; and it appears they have exercised these powers largely during the last 20 years, having paid 35,355,014*l.* for the purchase of stock and Exchequer-bills, and received from the sale of stock and Exchequer Bills the sum of 16,684,645*l.*, leaving 18,670,369*l.* as the amount of cost of the stock and Exchequer-bills standing in their names on the 20th of November, 1837.”

The facts which he stated at that time were all admitted, but the time was not considered fit to remedy the evil. In 1838 the hon. Member for Portsmouth (Mr. T. Baring) who was then Chancellor of the Exchequer, admitted that the law was a bad law. He observed that he had found the law, that he had used the law, but at the same time admitted that it was bad. Still, notwithstanding that declaration on the right hon. Gentleman had continued to act



on the same principle. If the matter were not inquired into and checked, the Government might add as much as they pleased to the debt of the country, and set Parliament completely at defiance. He wished for the appointment of a committee, in order, if any error had crept into the mode of managing these funds, that it might be corrected. It had been argued, in opposition to those who objected to the system, that it was beneficial, inasmuch as if the Government were pressed for money, and the facility afforded by the Savings-banks with reference to Exchequer-bills were removed, the public service might be impeded. There were some men who would try any shift rather than proceed in the direct line of honesty; but every wise man would see the propriety of adopting a different line of conduct. The late Chancellor of the Exchequer belonged to a Government that had exceeded their income every year since 1838, and in consequence they had recourse to those schemes and shifts which he so strongly censured. Now in his opinion, an inquiry ought to be immediately set on foot, and a bill afterwards brought in to correct the evil which he had pointed out—the monstrous evil of the Government having it in its power to increase the national debt at pleasure, without applying to Parliament. He was perfectly satisfied, from the manner in which the right hon. Baronet had expressed himself when he brought forward his financial statement, that he would be the last man to have recourse to such expedients for the purpose of raising money, but still he should be very sorry indeed to intrust any individual with the power of doing what had been done—with the power of adding to the funded debt of the country, without making a regular application to the House of Commons on the subject. The hon. Member concluded by moving

“That a select committee be appointed to inquire into the proceedings of the commissioners for the reduction of the national debt, the commissioners for the management of Savings-banks, and the Lords commissioners of the Treasury, with the monies of Savings-banks in the years 1836 to 1841, both inclusive, by which, under the act of 9 George 4th, cap. 92, entitled ‘An Act to consolidate and amend the laws relating to Savings-banks, the amount of 5,395,569*l.* of 3 per cent. stock has been added to the national debt, without the previous knowledge or sanction of Parliament.”

*The Chancellor of the Exchequer had listened to the speech of the hon. Gentleman who had just sat down with great*

attention: but he confessed that he did not think that it had assigned any sufficient reason for the House to grant the committee for which he sought. On the contrary, the speech of the hon. Gentleman in itself furnished grounds for resisting the appointment of a committee of inquiry. The hon. Gentleman had stated that a committee was necessary because the law with reference to Savings-banks had left a power to the commissioners for the reduction of the national debt of investing the money of Savings-banks either in Exchequer-bills, or otherwise in the funds, as might seem best for the convenience of the Government. The hon. Gentleman stated that the practice had been opposed by different Gentlemen who filled the office of Chancellor of the Exchequer, and admitting, as the hon. Gentleman did, that the law sanctioned the practice, the hon. Gentleman called for an inquiry into the extent to which it had been carried. But as the hon. Gentleman had admitted that the law sanctioned the proceedings in question, he surely needed no committee to ascertain under what circumstances they had been carried on. And if he objected to these practices, he should have called upon the House at the time when they last took place, or even at a subsequent period, to condemn and put an end to the system. This course the hon. Member had not pursued, and now he had no claim upon the House for a committee of inquiry. If the hon. Member thought the law defective, he should have moved for its amendment, and for the taking away the power of the exercise of which he complained, but to call for a committee of inquiry was certainly a work of superfluity. But the hon. Member would probably say, “You may make an inquiry at once, and you can do no harm by it.” But he could assure the hon. Gentleman that it was at all times a delicate matter to create discussion upon. To discuss the investment of the funds of Savings-banks was apt to create in the minds of those who had money invested in them, doubts as to the validity of their security, and, at the present time, especially, that was not desirable, on account of the distress and consequent anxiety which so generally prevailed. He could assure the hon. Member, that since he had given notice of his motion, he had received intimations that there did exist a feeling of anxiety among the holders of those funds, which an inquiry would probably tend to increase, not, indeed, to the injury of the public, but to the individual

injury of those who might have small sums invested in Savings-banks, and who would thus be induced prematurely to withdraw them, and, in consequence, to forfeit the benefits accruing from this species of investment. On these grounds, he would oppose the motion of the hon. Gentleman. He would be most happy to furnish the hon. Member with any information upon the subject which he might wish to obtain, but he must say that the facts relating to the transactions in question had been already detailed, *usque ad nauseam*. To grant the committee sought for, to allow the hon. Member to go into those minute details which he knew the hon. Member was apt to indulge in, to allow him to examine all sorts of functionaries connected with Savings-banks, was a course to which he would not accede, and which he thought it was his bounden duty, as far as he could, to prevent. The hon. Gentleman had told them of the late excess of expenditure over the revenue, and they had also been told, that that deficiency had been supplied by using the funds of the Savings-banks. He regretted the excess, and he admitted the application of the funds to a certain extent; but upon that subject he had expressed his opinion, when the matter was, upon a former occasion, brought under the notice of the House. He then said, that it was not expedient to raise money, without the Government having obtained the consent of Parliament for the loans in question, and he required no committee in order to form and pronounce an opinion upon such a subject. But he also said then, and he repeated the assertion now, that the transactions in question had no effect upon the security of the money invested in Savings-banks, which was as good as that which every holder of funded property in this country possessed. They had been told, that everybody had been puzzled as to how these transactions had been carried on, but the mode had been described every year by every person who had taken part in the discussions upon the subject. It was set forth in the returns and documents laid upon the Table of the House, and the hon. Gentleman must have been quite aware of that mode as appeared from his speech upon the question in 1838. The resolution which the hon. Member proposed then had no reference to the point of Government raising money through the medium of Savings-banks, but it referred to the power given to the commissioners of Savings-banks of investing the money under

their charge in the funded and unfunded debt, to the extent of 20,000,000*l.* Why, in 1838, did not the hon. Gentleman move a resolution condemning the practice of which the hon. Gentleman now complained—a practice which was apparent in the papers of the House? But the hon. Gentleman having omitted that which was the proper course for him to have pursued, of either moving such a resolution, or of bringing in a bill to put an end to the power of the existence of which he disapproved, he now came down, five years after, and stated that nobody knew of what was going on, and that he must have a committee to inquire, at the risk of disturbing the whole Savings-bank system. Thinking, therefore, that there was need for no such inquiry, he should resist the motion of the hon. Gentleman. With respect to the practice complained of, he had already expressed his opinion. He thought that Government should have stated to Parliament that there was an intention of making use of the discretionary power given to it by law, and of raising money by borrowing the funds of the Savings-banks; but that there had been any intention of concealment in the matter he most distinctly denied. The figures and facts of the case were already before the House—there was nothing to be inquired into—and he entreated the House not to grant the committee moved for.

Mr. Baring concurred with the right hon. Gentleman the Chancellor of the Exchequer, and from the experience which he had had in the Treasury he could bear his testimony to the fact that an inquiry like that which was now moved for could not be carried on without great public inconvenience. Although such inconvenience might be disregarded if it were absolutely necessary that it should be encountered for the purpose of an investigation to find out the truth, yet, in a case like the present, where there had not been the slightest attempt at concealment—where the practices in question were admitted to exist—he did not see the least necessity for an inquiry. Returns relating to the subject had been already laid upon the Table of the House, and if further information were wanted, the right hon. Gentleman the Chancellor of the Exchequer stated that it should be forthcoming. The proper course for the hon. Member for Montrose to have pursued would have been to take away the power of which he complained, and which was admitted to exist under an act of Par-

liament. In fact too the figures and statements of the hon. Gentleman were inaccurate. In framing his motion the hon. Gentleman had confounded operations of different natures. Changing unfunded to funded debt did not give rise to an increase of debt. It did not create new debts; it was merely a change of name. The whole amount of debt actually contracted did not amount to more than 2,500,000*l.* instead of 5,000,000*l.* as stated by the hon. Gentleman's motion. It was hardly fair to charge the late Government with anything like secrecy in these transactions. Every year regular returns on the subject were laid upon the Table of the House. It was well known that however secret a Minister might be with respect to his intentions, he could not be secret with respect to his acts; and every person who took an interest in the subject had an opportunity from the returns of ascertaining the conduct of Government in the matter. Last year, when he was asked his opinion as to whether the power under discussion should be invested in a Government, he had stated that he conceived it should not be left in the hands of the Executive Government; but he did not want a committee of inquiry to enable him to pronounce such an opinion. Let the hon. Gentleman, if he chose, bring in a bill upon the subject, and he would join in its discussion. But without abandoning his opinions upon the point, he must say that if he came into office and found the discretionary power in question left in the hands of the Executive Government, he had yet to be taught that the Executive should not carry into effect the powers which by law belonged to it, whatever might be the opinion of individual Members of that Executive with respect to the propriety of its being invested with those powers. If every official connected with the revenue, from the Chancellor of the Exchequer to the Custom-house officer, were to consider and debate upon the propriety of the powers delegated to them, instead of putting them into operation, they would soon make a pretty mess of the collection of the revenue. He had heard with much satisfaction, and he quite agreed in the statement, that, whatever opinion might be entertained with reference to the expediency of the practices under discussion, there was no doubt that nothing irregular had taken place with respect to the funds, and that nothing had been done which tampered with the security of the funds of Savings-banks, or which would tend to

place them in a less advantageous position than that which they at present occupied.

Mr. *W. Williams* remarked that the practice under the notice of the House had been condemned by both the right hon. Gentlemen, the present, and the late Chancellor of the Exchequer. The proper course would, therefore, be to introduce a bill doing away with the discretionary power held by the Chancellor of the Exchequer. It was not similar to any power exercised by any individuals in this country, with the exception of that enjoyed by the Poor-law commissioners. The Government could convert the funds of Savings-banks into Exchequer-bills whenever it pleased, or could convert them into stock, and by means of this system they could neutralise the power, constitutionally enjoyed by the House of Commons, over the expenditure and monetary system of the country. He had given notice at the close of last Session that he would bring in a bill to do away with the system under discussion, for he believed that many of the evils which at present were pressing upon the country, had their origin in this tampering with the currency between the Chancellor of the Exchequer for the time being, the commissioners of Savings-banks, and the Governor and Company of the Bank of England, who could withdraw or put into circulation enormous sums of paper money. These agents, he believed, were at present at work, and he was most anxious that the power of meddling with the Savings-banks by the Executive should be put an end to. He had been prevented from bringing forward the bill of which he had given notice by the extent and importance of the public business which had been under consideration this Session; but if the hon. Member for Montrose did not bring in a bill next Session, he would pledge himself to introduce a measure to take away from the Chancellor of the Exchequer the power of meddling with the stock of the Savings-banks without the concurrence of Parliament. Such, he thought, the best course which could be pursued.

Mr. *Hume* would take the sense of the House upon his motion. If there was nothing wrong to be exposed, what could they fear from an inquiry? The manner in which Exchequer-bills were managed was not, he suspected, altogether blameless, and if they gave him his committee, he would prove that there existed partialities as regarded their issue. What he wished to destroy was the power of adding

to the permanent debt of the country without the consent of the House of Commons.

The House divided :—Ayes, 34 ; Noes, 173 : Majority, 139.

*List of the AYES.*

Aglionby, H. A.	James, W.
Bowring, Dr.	Johnson, Gen.
Bryan, G.	Leader, J. T.
Butler, hon. Col.	Martin, J.
Byng, rt. hon. G. S.	Morison, Gen.
Callaghan, D.	Muntz, G. F.
Clements, Visct.	Murphy, F. S.
Corbally, M. E.	O'Brien, J.
Crawford, W. S.	O'Connell, M. J.
Dennistoun, J.	O'Connell, J.
Dundas, Adm.	Plumridge, Capt.
Elphinstone, H.	Somerville, Sir W. M.
Esmonde, Sir T.	Thornely, T.
Fielden, J.	Wallace, R.
Forster, M.	Wood, B.
Gibson, T. M.	
Gore, hon. R.	
Greenaway, C.	
Hindley, C.	

TELLERS.

Hume, J.  
Williams, W.

*List of the NOES.*

Acland, Sir T. D.	Damer, hon. Col.
A'Court, Capt.	Darby, G.
Arbuthnott, hon. H.	Denison, J. E.
Arkwright, G.	Denison, E. B.
Ashley, Lord	Dickinson, F. H.
Baird, W.	Divett, E.
Balfour, J. A.	Douglas, Sir H.
Bannerman, A.	Douglas, Sir C. E.
Baring, rt. hn. F. T.	Duffield, T.
Barnard, E. G.	Dugdale, W. S.
Beckett, W.	Duncan, G.
Beresford, Major	Duncombe, hon. A.
Bernal, R.	Dundas, D.
Boldero, H. G.	Du Pre, C. G.
Botfield, B.	Easthope, Sir J.
Brotherton, J.	Ebrington Visct.
Buckley, E.	Egerton, W. T.
Buller, C.	Egerton, Sir P.
Burrell, Sir C. M.	Eliot, Lord
Busfield, W.	Escott, B.
Byng, G.	Estcourt, T. G. B.
Campbell, A.	Farnham, E. B.
Carew, hon. R. S.	Ferrand, W. B.
Cartwright, W. R.	Fitzroy, Capt.
Cavendish, hon. G. H.	Flower, Sir J.
Chapman, B.	Ffolliott, J.
Childers, J. W.	Forbes, W.
Clerk, Sir G.	Fox, C. R.
Clive, E. B.	Fuller, A. E.
Cochrane, A.	Gaskell, J. Milnes
Codrington, C. W.	Gladstone, rt. hn. W. E.
Colborne, hn. W. N. R.	Gladstone, T.
Compton, H. C.	Glynne, Sir S. R.
Corry, rt. hon. H.	Gordon, hon. Capt.
Courtenay, Lord	Gordon, Lord F.
Craig, W. G.	Gore, M.
Cresswell, B.	Gore, W. O.
Cripps, W.	Goring, C.

Goulburn, rt. hon. H.	O'Brien, A. S.
Graham, rt. hn. Sir J.	Ord, W.
Greenall, P.	Packe, C. W.
Greene, T.	Paget, Col.
Grogan, E.	Pakington, J. S.
Halford, H.	Palmer, R.
Hall, Sir B.	Palmer, G.
Hamilton, W. J.	Parker, J.
Hamilton, Lord C.	Patten, J. W.
Hampden, R.	Peel, rt. hon. Sir R.
Hardinge, rt. hn. Sir H.	Philips, M.
Hardy, J.	Pigot, Sir R.
Heathcote, G. J.	Ponsonby, hon. J. G.
Henley, J. W.	Praed, W. T.
Herbert, hon. S.	Pringle, A.
Hervey, Lord A.	Repton, G. W. J.
Hodgson, F.	Rolleston, Col.
Hodgson, R.	Rushbrooke, Col.
Hogg, J. W.	Russell, Lord J.
Hope, hon. C.	Scarlett, hon. R. C.
Howard, hn. C. W. G.	Shaw, rt. hon. F.
Hussey, T.	Sheil, rt. hon. R. L.
Hutt, W.	Sheppard, T.
Inglis, Sir R. H.	Smith, rt. hn. R. V.
Irving, J.	Somerset, Lord G.
Jackson, J. D.	Stanley, Lord
Jolliffe, Sir W. G. H.	Stuart, Lord J.
Jones, Capt.	Strutt, E.
Knight, H. G.	Sturt, H. C.
Labouchere, rt. hn. H.	Sutton, hon. H. M.
Langston, J. H.	Tancred, H. W.
Lascelles, hon. W. S.	Taylor, T. E.
Lawson, A.	Towneley, J.
Lefroy, A.	Trevor, hon. G. R.
Legh, G. C.	Trollope, Sir J.
Litton, E.	Trotter, J.
Lowther, J. H.	Turner, E.
Mackenzie, T.	Vere, Sir C. B.
Mackinnon, W. A.	Vesey, hon. T.
McGeachy, F. A.	Waddington, H. S.
Marshall, Visct.	Wall, C. B.
Masterman, J.	Walsh, Sir J. B.
Miles, P. W. S.	Wilbraham, hon. R. B.
Mitchell, T. A.	Wodehouse, E.
Morgan, O.	Wood, G. W.
Morris, D.	Wrightson, W. B.
Mundy, E. M.	Wyse, T.
Napier, Sir C.	
Newport, Visct.	
Northland, Visct.	

TELLERS.

Fremantle, Sir T.  
Baring, H.

MINISTERS' MONEY (IRELAND).] Mr. Sergeant *Murphy* rose to move the resolution on this subject which he had placed on the paper. He merely wished to call the attention of the Government to a pressing and sore grievance, which was one, moreover, that he believed a vast majority of the Members of that House were wholly unacquainted with. Some months since he had the honour of presenting a petition, signed by 13,000 persons, on the subject of this impost. It was signed by persons of all denominations, and it emanated, not from any sectarian notions, but it came

before the House because the persons who signed it were persuaded they were appealing to be relieved from a heavy grievance, and one which called for legislative redress. But as, in his opinion, the House was not acquainted with the nature of this impost, it was necessary, in the first instance, briefly to state in what the grievance consisted, and he should preface his description of the origin of the tax by only one remark—that after tithes and Church-rates had been abolished in Ireland, it struck him as extraordinary that a payment equally onerous and unjust should be suffered to remain in existence. By an act passed in the year 1665, which was for the purpose of providing for the payment of ministers' money in corporate towns, it was provided (as stated in an extract of the statute embodied in a report of the commissioners) that the Lord-lieutenant and Chief Governor, with a certain number of the council, might assess the liberties and suburbs of Dublin, and other cities, to such an amount for the cure of souls out of each house as they might deem fit, provided that the assessment did not exceed 1s. in the 1l. on the yearly value of each house. It then went on to state this should be the measure of the allotment for each house up to those of 60l. a year, and not exceeding that sum. Now on the bare statement of those provisions of the statute, he thought it must be obvious to every person, that the valuation which had been sanctioned by this act must press with a very unequal severity on many classes, and these the most indigent of the population. The first valuation was made shortly after the passing of this act, and from that time to the present no change had been made in the principle of the allotment. The corporate commissioners made an observation on this subject, which was well worthy the attention of the House, and which was to this effect—that the improvement which had been made in modern times rendered many of the houses in old parts of the cities comparatively valueless, and the consequence was that the greatest inequality prevailed in the imposition of this tax. Indeed it must be obvious that the fluctuations in the value of property since 1655 must render the impost one of peculiar hardship; the more especially as the assessment being limited to houses up to 60l. a year, a house of twice that value was taxed in the same proportion as one only worth 10l. a year. When the period at which this law was originally introduced into Ireland was taken into account, it became plain that the circumstances of the time did not render it any peculiar hardship. It must be borne in mind that, according to the policy of those times, the corporations represented nothing but the predominant sect; and it was quite consistent with the number and influence of their members that they should set apart for the sustentation of their spiritual ministers such a sum as they deemed adequate to compensate their services. Had that principle been retained in its former integrity, he should be the last man to quarrel with it, because it was his opinion that the legislators of a country were quite justified in maintaining that the ministers of religion should be sustained by those who looked to them for spiritual consolation. But how completely had the affairs of Ireland been altered since that period! In the town which he represented, the inhabitants amounted to 110,000, and the Roman Catholics were to the Protestants as 5 or 6 to 1. And, according to the late census, the proportion throughout Ireland was as 8 to 1. Tithes, which were a charge and burden on the land, had been done away by legislative enactment; Church-rates, which had been long sustained as the peculiar favourites of the Church, had also at length been done away by legislative enactment within the last seven or eight years, and ministers' money ought to be treated in the same manner. Let no one who heard him suppose that in bringing forward this motion he was at all actuated by any spirit of hostility against the integrity and maintenance of the Protestant Church in Ireland. He had no such notion. He thought Protestants entitled to the same rights of conscience as he claimed for himself; and he believed it would do much to assuage the differences which unhappily sprung from religion in Ireland, and to amalgamate all classes, if they adopted his proposal to allow contributions to be made by each religious persuasion in the towns, according to the spiritual services which were rendered it. This was no novel doctrine. It had been promulgated in that House already; and though it might be said that in trenching on the revenues of the Church he was not acting in accordance with the spirit of that oath which he took on becoming a Member of that House, he was happy to say that when a similar objection was made in 1834, the whole

Lord the present Secretary for the Colonies—one whose devotion to the Establishment was unquestioned—one who separated himself from his own political connections by reason of their supposed hostility to that institution in its integrity—rebuked the taunt that hon. Members of the Roman Catholic persuasion violated their pledge when they voted for the abolition of Church-rates. The noble Lord stated that he supported the measure then proposed, not because it would injure the Protestant Church, but because it would extend that Church, by making religion more beneficial, and giving security to the Establishment. He had witnessed the heart-burnings to which this payment gave rise, and how it fomented political animosities. If, then, in 1884 they had abolished Church-rates, and in 1885 they had mitigated the burden of tithes, he left it to every dispassionate mind to say whether the system which enabled the minister of religion, through the agency of the proctor, to enter the humblest hovel, which was rated at 1s. in the pound, and, without any preliminary notice, except the mere fact of non-payment, to sell the wretched furniture of the occupant by public auction, ought not to be at once discontinued. He did not mean to infringe longer upon the time of the House. He had heard, and he admired the sentiment of the right hon. Gentleman at the head of the Government, that when any abuse was proved, he and the Government were bound to remove it. He had stated to them an admitted abuse; he had shown that two imposts on the same footing had been abolished, and when it was added that the burden fell with a different pressure on the rich and the poor, he thought he had established such a "proved abuse" as called loudly for abolition. Let them act on their own principles and adopt his resolution, and they would calm the dissensions which prevailed amongst the upper and lower orders, and make religion—what of all countries it was necessary it should be in Ireland—the union of peace and good will amongst men of all persuasions. [Mr. Shaw: What is the substitute for this tax?] The right hon. Gentleman might as well have asked for a substitute of Church-rates or tithes, when they were proposed to be abolished. The Government had avowed their desire to deal with "proved abuses." They had done so in the two instances he had stated, and the right hon. Gentleman's logical and perspi-

cacious mind must be satisfied that his case was made out for the extinction of this, when he had proved its existence. There was the evil before them, and it was the duty of the Government, on its own showing, to apply a remedy. The hon. and learned Gentleman concluded by moving the following resolution:—

"That this House will, on Wednesday, the 13th day of this instant July, resolve itself into a committee of the whole House, to take into consideration the act 17 and 18 Charles 2nd, c. 7, intituled, 'An act for provision of Ministers in Cities, Corporate Towns, and making the Church of St. Andrew's, in the Suburbs of the City of Dublin, presentative for ever,' with a view to the repeal of so much thereof as relates to the provision of ministers in cities and corporate towns in Ireland."

Mr. Sergeant Jackson said, that the act provided for the revision of this impost every seven years, and if it were unequal, that was an argument for a new valuation, but no ground for abolishing the means of support which the clergy enjoyed in the towns. His hon. and learned Friend seemed to contend that there was nothing analogous to this impost in England. Now that was not the fact, for the 2nd and 3rd Edward 6th provided for the payment of personal tithes in several towns in England, but excepted Canterbury and London, on the ground that in the latter a poundage rate (such as that enforced in Ireland) existed. This rate was exceedingly low, and the means of support which it afforded the clergy were as moderate as was consistent with their station.

Mr. Sheil thanked his hon. and learned Friend for having brought forward the question, which was one that greatly interested the people of Ireland. Unless the Government should exhibit a disposition to accede to the wishes of the Irish, they might expect to have the Roman Catholic question revived, in all its force, in the course of next Session. He maintained that the property of the Church of England belonged to the State, and might, purposely, be subjected to such modifications as the Legislature might determine upon. The Legislature abolished Church-cess in Ireland, on the ground that it was an obnoxious tax; so was Ministers' money, and ought, therefore, for the same reason, to be abolished. His hon. and learned Friend was asked to point out a substitute for the tax which he sought to get rid of. Now he thought that it would not be difficult to find an

equivalent in the Irish church temporalities fund. If the motion should be lost now, he trusted that it would be renewed next Session.

Mr. *Shaw* could not believe that the proposition before the House was brought forward seriously. He did not like the mode of paying Ministers' money, nor did the clergymen themselves approve of it. He believed that nothing would be more agreeable to them than to be paid in another manner. If an arrangement of that kind could be devised, he would cheerfully assist in carrying it into effect; but he never could consent to deprive a clergyman of his income without offering him any compensation.

Mr. *M. J. O'Connell* said, that if the present proposition had been brought forward by the Government, it would have been very proper in them to provide a substitute for the tax which it was sought to abolish; but individual Members who complained of a grievance were not bound to take that course. They would leave to the Government the task of finding a substitute. If, however, he felt himself called upon to say whence a sum equivalent to that of Ministers' money might be derived, he would point to the sinecure bishoprics and sinecure livings in Ireland. It was a remarkable fact, that most of the clergymen of Dublin and Cork had other sources of income besides Ministers' money. He would give his hearty support to the motion, and he believed that Government could not follow any course more calculated to conduce to the peace of Ireland than by taking up this question.

Sir *R. Inglis* said, that the declaration made by the right hon. Gentleman the Member for Dungarvon, that they might expect the Roman Catholic question to be revived in all its force next Session, coupled with the fact of a motion being now brought forward to deprive a portion of the clergy of Ireland of their incomes without giving them any compensation, was a proof of the perfect inutility of all the concessions which had been made to the Roman Catholics. The experience of the last twelve years ought to convince the House of the folly of continuing in the same course.

Sir *W. Somerville* said, that the Government ought to do something with respect to this question. If the present state of things should continue, it would be hopeless to expect that amalgamation of parties and removal of religious bickerings which

was so desirable. He believed that the Irish people's objection was not to the establishment, but to the payment for its support. If the Protestants would only pay their bishops, the Catholics would not care how many they had. He trusted that the present motion would be the precursor of many others on the subject.

Mr. *Lillon* said, that the Ministers' money was not a tax on occupiers, but on landlords, for when a lease of a house was granted, the amount of the rent was always measured by the amount of the local impositions to which the property was liable. He certainly thought it was desirable that the mode of levying this tax should be altered. He wished some arrangement might be made similar to that made with respect to tithes.

Mr. *Callaghan* felt obliged to his hon. and learned Colleague for having brought this motion forward, even at this inconvenient period of the Session, where it only for the admissions which had been elicited from the other side. It was now generally admitted that the manner of levying this tax was an objectionable one, and that the only thing to be wished was to find a substitute. Many of his constituents shared in the opinion that the Church Establishment was a burden on the country, and that the sooner it was put an end to the better.

Lord *Eliot* said, the grievance, so graphically described by hon. Gentlemen opposite, was now for the first time, brought before the House of Commons. He, holding the situation of Secretary for Ireland, had not received a single memorial on the subject. He agreed that it was desirable a less objectionable mode of levying the tax should be devised; and if it could be shown that in some other manner an adequate provision might be made for the clergy, he for one, should not be disposed to object to such an arrangement. He could, not, however, look upon the clergy of Ireland as an adequately remunerated body of men, and could not consent to see them deprived of any of their present sources of income, unless a proper substitute was proposed. The hon. and learned Gentleman had not moved for a committee of inquiry, but demanded at once a committee to repeal this source of income, without attempting to suggest a substitute. Under these circumstances, he thought the House was called on to reject this motion by a very large majority.

Mr. *Serjeant Murphy* said, that though

the question of this grievance had never been mooted in Parliament since 1665, yet every man connected with the Irish government who had spoken on this question, had admitted, that it was a grievance which the whole clergy wished to see modified. Was not that admission in itself a justification of his motion? An admitted grievance was now shown to exist, and it was not his business but the business of Government, to provide a remedy. Surely, it would not be said, that the Church was not rich enough for its own maintenance?

The House divided :—Ayes 56; Noes 85: Majority 29.

#### *List of the AYES.*

Aglionby, H. A.	Hawes, B.
Aldam, W.	Hume, J.
Bannerman, A.	Macnamara, Major
Barnard, E. G.	Marsland, H.
Bowring, Dr.	Mitchell, T. A.
Brodie, W. B.	Muntz, G. F.
Brotherton, J.	Norreys, Sir D. J.
Browne, hon. W.	O'Brien, J.
Busfield, W.	O'Connell, M. J.
Butler, hon. Col.	O'Connell, J.
Cave, hon. R. O.	Phillpotts, J.
Cavendish, hn. C. C.	Rice, E. R.
Chapman, B.	Roche, E. B.
Cobden, R.	Scholefield, J.
Collins, W.	Sheil, rt. hon. R. L.
Corbally, M. E.	Somerville, Sir W. M.
Crawford, W. S.	Stansfield, W. R. C.
Dennistoun, J.	Tancred, H. W.
Divett, E.	Thornely, T.
Duncan, G.	Wall, C. B.
Dundas, Adm.	Wallace, R.
Ellis, W.	Ward, H. G.
Elphinstone, H.	Wawn, J. T.
Esmonde, Sir T.	Williams, W.
Ewart, W.	Wood, B.
Fielden, J.	Yorke, H. R.
Gibson, T. M.	
Gill, T.	TELLERS.
Gore, hon. R.	Murphy, F. S.
Harris, J. Q.	Callaghan, D.

#### *List of the NOES.*

Arbuthnott, hon. H.	Douglas, Sir C. E.
Arkwright, G.	Duffield, T.
Baring, hon. W. B.	Eastnor, Visct.
Bateson, R.	Eliot, Lord
Blackburne, J. I.	Escott, B.
Boldero, H. G.	Fitzroy, hon. H.
Bruce, Lord E.	Flower, Sir J.
Campbell, A.	Ffolliott, J.
Chetwode, Sir J.	Forbes, W.
Clerk, Sir G.	Fuller, A. E.
Corry, rt. hon. H.	Gore, M.
Courtenay, Lord	Gore, W. O.
Cripps, W.	Goring, C.
Damer, hon. Col.	Goulborn, rt. hon. H.
Denison, E. B.	Graham, rt. hn. Sir J.
Dickinson, F. H.	Greene, T.

Grimston, Visct.	Nicholl, right hon. J.
Grogan, E.	Norreys, Lord
Halford, H.	Northland, Visct.
Hamilton, W. J.	O'Brien, A. S.
Hamilton, Lord C.	Palmer, G.
Hardinge, rt. hn. Sir H.	Peel, right hon. Sir R.
Hardy, J.	Peel, J.
Henley, J. W.	Pigot, Sir R.
Herbert, hon. S.	Pringle, A.
Hervey, Lord A.	Rushbrooke, Col.
Hope, hon. C.	Scarlett, hon. R. C.
Hussey, T.	Scott, hon. F.
Inglis, Sir R. H.	Shaw, right hon. F.
Jackson, J. D.	Sheppard, T.
Jermyn, Earl	Sibthorp, Col.
Jones, Capt.	Smyth, Sir H.
Knightley, Sir C.	Sutton, hon. H. M.
Lawson, A.	Trench, Sir F.
Lefroy, A.	Trevor, hon. G. R.
Litton, E.	Vere, Sir C. B.
Lygon, hon. Gen.	Verner, Col.
Mackenzie, T.	Vesey, hon. T.
Mackenzie, W. F.	Vivian, J. E.
Mc Geachy, F. A.	Wodehouse, E.
Marsham, Visct.	Young, J.
Masterman, J.	TELLERS.
Meynell, Capt.	Fremantle, Sir T.
Mundy, E. M.	Baring, H.

DISSECTION—THE ANATOMY ACT.] Mr. Hardy rose, pursuant to the following notice:—

"To take into consideration the petition of William Roberts on the Anatomy Act, and to move for a committee to inquire and report on the working thereof, and to recommend, if necessary, amendments of the same."

The petitioner, he said, had discovered a fluid which, applied to human bodies after death, rendered them capable of being used for anatomical purposes in the summer months, and for a much longer time than without such preparation they could be rendered available for the purposes of science. But it was stated to the petitioner, that the summer lecturers were opposed to the use of the fluid invented by Mr. Roberts, and proposed to be used in preventing the putrefaction of animal substances. It appeared that Mr. Roberts had discovered a mode of preserving bodies for the purpose of dissection, which would prevent medical students from injuring their health, or running the risk of losing their lives, which they frequently did under the present system; and therefore he trusted that the House would agree to his motion.

Sir J. Graham said, that amidst the great variety of subjects that were brought under the consideration of the House, scarcely any question was less calculated for public discussion in an assembly of that kind than the present one. He thought also



that it was still less eligible for discussion before any tribunal which that House might appoint. He admitted, at the same time, the importance of the question. However distressing it might be to the feelings of some persons, it was absolutely necessary, for the benefit of the living, that anatomy should be practised. Until the Anatomy Act was passed, there were many outrages committed upon public decency, and much danger to human life was incurred in the mode in which bodies were procured for dissection. During the inquiries before the committee which was appointed at the suggestion of Mr. Warburton, to whose exertions the passing of the Anatomy Bill was mainly attributable, sufficiently disgusting exposures were made respecting the disinterment of bodies; but since that bill had become the law of the land, the scenes of violence and crime which accompanied those exhumations had almost, if not entirely ceased. He would inform his hon. and learned Friend that so long ago as that time, Mr. Warburton was in communication with the inventor upon the subject. It was then thought that the experiment of Mr. Roberts would be an available one. He could not disassemble from the House that two or three of the enactments of the Anatomy Act had not been complied with; but he wished to set his hon. and learned friend right with regard to the provision respecting inspectors. The act did not prescribe three inspectors, but the clause was of a permissive nature, giving a power to appoint three inspectors should that number be thought necessary. One only had been nominated, consequently the expense of the whole establishment was less than if three had been appointed, while, he believed, the duty was better fulfilled than it would be if three inspectors were engaged. As to the quarterly returns, he had in his office distinct proofs that his predecessors had from time to time watched the working of the act, therefore it had not been a dead letter; and he could assure his hon. and learned Friend that he had paid due attention to this department of his public business. The allegations respecting the burial of bodies were submitted by himself to a commission consisting of Mr. Rogers, a Queen's counsel, and he believed now a deputy judge-advocate, and Mr. Green, a distinguished surgeon! and all the abuses complained of were checked, Dr. Somerville being warned of them, and desired to prevent their re-

currence. All the provisions of the act were, he believed, most carefully attended to. Having stated the substance of the report, he hoped the House would not press for its production. Passing from the Anatomy Bill, he would now come to the prayer of the petition, which he believed to be, under the guise of an attempt to carry out more effectively the objects of that bill, an application of a grant from the public purse for an alleged discovery of national importance. If Mr. Roberts had made such a discovery as he had described, he would be entitled to a reward; but from the best information he had been able to collect, he was led to the conclusion that such was not the case. His hon. Friend had mentioned a certificate which was signed in 1836 by many eminent men, who stated that, from what they saw, it was a discovery of great importance and most useful to society. Three names were mentioned by his hon. Friend—Sir B. Brodie, Mr. Stanley, and Mr. Green—and three more eminent persons and competent judges of the matter could scarcely have been found. His hon. Friend also said, that the teachers of anatomy were prejudiced against Mr. Roberts, and wished to continue the present system for the sake of obtaining pupils. Why, to such a man as Sir B. Brodie it must be a positive sacrifice to be withdrawn from his professional business with patients; but he was a man who disregarded personal advantages in his zeal for the promotion and improvement of that science which he adorned. In April, 1836, Mr. Roberts proposed to the College of Surgeons that they should give him 1,000*l.* for his invention, and use their interest with the Government to procure for him a further sum of 2,000*l.*

"I cannot find that the College (says Sir B. Brodie) ever answered this application. Mr. Roberts afterwards made some similar proposals to the teachers of anatomical schools. Sir A. Cooper and myself signed a paper, which you have seen, after examining a body which Mr. Roberts said had been unburied some time. But subsequently it appeared that the whole experiment was a complete failure."

This was the testimony given on the authority of Mr. Harrison, the treasurer of Guy's Hospital, and Mr. Stanley. Sir B. Brodie went on to state that the same discovery had been made in France; and he added in his communication—

"However, useful it may be, it can never supersede the necessity of dissection."

He thought, then, that it was sufficiently clear from the opinions of men whose original impressions were in favour of the discovery, that it had been already fully investigated, and had proved to be a failure. He therefore trusted that his hon. and learned Friend would not press his motion.

Mr. *Hardy* replied, that he should be sorry to press this or any other motion upon the attention of the House after observations similar to those just made by the right hon. Baronet. He was not aware that the facts detailed in the petition, which certainly seemed to be very extraordinary in their nature, had been the subject of previous consideration, or he would not have urged them again upon the notice of the House and the Government. After what had been stated by the right hon. Baronet, and seeing the disposition of the House, he should not press his motion.

Motion withdrawn.

ELECTION PROCEEDINGS—SECRET COMMITTEES.] Sir *R. H. Inglis*, in rising to bring forward a motion respecting the secret proceedings of election committees, said, that he felt himself somewhat embarrassed, because he had been given to understand that the committee over which the hon. Member for Bath presided had made its report to the House. [Mr. *Hume*: No, no!—agreed to it.] Then he was quite in order in moving the resolution of which he had given notice, and it was this:—

“That in all the proceedings of the committees specially appointed to investigate the charges of alleged corrupt compromises and bribery in respect of the late elections for the boroughs of Nottingham, Reading, Harwich, Lewes, Falmouth and Penryn, Bridport, Belfast, and Southampton, respectively, the parties accused or implicated in such charges shall at all times, save at such times only as the said committee shall deliberate thereon, be entitled to be present at such committees, irrespectively of the right which such of them as may be Members of this House have to attend all committees, except secret committees of the same.”

He thought he might say with absolute confidence that no Member of that House would vote against such a proposition; some might not assent to it; but without wishing to be offensive, he defied any one to vote against it. Those who were not able to comply with it might move the previous question; but they could not venture directly to negative such a proposition as this—that an accused person

had a right to enter the court before which he was to be tried. Again and again he must declare that this was a case in which a person was tried on accusations made before a tribunal, and from which he was excluded. It was no preliminary inquiry; a direct charge was made by an hon. Member in his place in that House, and on his motion a particular tribunal was appointed for the purpose of trying the person against whom the charge was made. He was afraid of wearying the House by restating that which he had already stated more than once—that the hon. and learned Member for Bath distinctly made a charge against individuals, and said he would fix and crucify those individuals whom he alleged to be guilty of that which he called a crime before their countrymen; and it was under those circumstances that the hon. and learned Member had prevailed upon the House to grant him that tribunal before whom those he accused were called to appear as witnesses. He contended that they had a right to be present throughout the proceedings; and the only consideration which might have induced him to pause in bringing forward his motion would be that the committee had made its report; but even if that had been the case, he should think he was best discharging his duty by changing the terms of the resolution, and introducing it as a resolution laying down a principle the application of which might be left to future cases, if any such should arise—an occurrence, however, of which he had little fear, for he believed no such committee as that referred to would ever again be granted. But, be that as it might, he was free from the necessity of considering the point, when he was informed that the committee had not yet brought their labours to a close; and in consequence the only matter he had to insist on was the right of an accused person to hear the charges brought and the evidence adduced against him. He was told by the hon. Member for Harwich, as well as by others who had attended the committee, that the proceedings were conducted with courtesy; but let him ask, what security had they that such courtesy would be shown in other cases? He wanted to establish the principle, and he said again that he believed no one would be found to negative the abstract proposition, and if that were so, then, let the fate of the motion be what it might, it could only be got rid of indirectly. In deference to the House, as

much as in deference to the advanced state of the proceedings before the committee, he would not attempt to support this motion by any lengthened statement. He repeated again, that he believed it would be impossible to find any Member in that House, and he ventured to hope he should find no one out of it prepared to enunciate as his principle, that an accused person was not entitled to be present when accusations were made against him. The hon. and learned Member for the county of Cork had suggested to him that these regulations were not laid down by the committee over which he presided, or by the committee sitting on the business of the Southampton election. But if his motion was good for anything, it was good as a principle not applicable only to present, but to all cases. He contended that it ought to be made a matter of right that accused persons might be present if they pleased, with the single exception of occasions when their judges were sitting to deliberate among themselves. Such being the circumstances, and such being the principle, he would conclude by putting his motion in the shape of an abstract proposition in the hands of the Speaker, leaving its application to this or any future tribunal, and impressed with a full conviction that the principle he laid down was unimpeachable.

Mr. Roebuck was exceedingly sorry to be obliged to trouble the House on this occasion, but he could not help remarking that he was entirely at a loss to know why this motion should have been brought forward at all. The hon. Baronet said it went to establish a principle, and he inferred that he would not leave the application of that principle to the individual discretion of the chairman of a committee. Now, he would appeal to the hon. Baronet's own judgment to say, was it left to the individual discretion of the chairman? And why should he come down to that House with a proposition of this sort, carrying its own refutation, and put forward as it seemed to him merely *ad captandum*? There were on this committee eight Members besides himself: the House had intrusted to them to conduct a delicate inquiry; it had left to them a certain discretion as to the mode of conducting it, and all they asked was, that the House should continue that discretion until they saw cause to withdraw it. Having granted that discretion, this motion implied a direct censure upon their employment of it.

It was an interference with their proceedings without any cause assigned. If the hon. Baronet would have waited until the proceedings of the committee were laid on the Table, he would have acted wisely, and would have done no harm to his cause. At that moment their report, as regarded five of the cases referred to them, was printed. It would soon be in the hands of Members. What then did the hon. Baronet want? What did he desire to effect by this motion? All they said was this—

“So long as we conduct the inquiry fairly, without any appearance of hostility to any one so long do we think we shall best fulfil the commands of the House.”

And certainly, in exercising the discretion put into their hands, they were of opinion that they should best conduct their investigation—not in public, so that their proceedings might be published in the newspapers day by day—but without public interference, in a private and friendly manner, for friendly they had been, and he was glad to say continued to be. So long as they got the evidence from the parties themselves—so long as they were without the necessity of resorting to hostile sources for information, so much would it be the better for the parties concerned; and he might add, that for the purpose of the inquiry, which was merely to elucidate examples of a system, it would be far better than any course they could otherwise adopt. He would venture to promise the hon. Baronet, that in a few days he should see the whole body of the evidence taken by the committee, and he would there find such statements as the House could not possibly acquire by any other means, and as, he would venture to say, would not be disputed by any of the parties. This evidence was given by those concerned; it was given by themselves, of themselves, about themselves, and concerning their own acts. What could he say more? All he could add was, a repetition of his advice that the House should wait a little while longer—should continue to the committee the discretion they used, and he hoped had not abused, and then the House might do what it pleased. What he entreated, and what he thought he had even a right to demand, was that hon. Members would not cast a censure on the proceedings of the committee, before they knew what had been done. One word as to the hon. Baronet's challenge to the House. No one had attempted—no one, to use his own term, dared to dispute that

when a man was brought to trial he should see his accusers face to face; but there might surely be inquiries as to personal matters, with regard to which it might not be desirable that the parties should interfere; and if they could obtain evidence in such cases without resorting to third parties, he did say that it was infinitely better than to run the risk of the annoyances which would result from pursuing a different system. But, above all, he said, let the House wait and see what the committee had done, and not attempt to rush hastily into a matter of which it could know nothing. He sat down with the most perfect assurance that the House would continue its confidence in the discretion of the committee, and would adopt no resolution implying a censure on the conduct of the committee.

Mr. *R. Scarlett* said, the hon. Member for Bath had implied that every witness before his committee was to state what he himself knew, and to make no charge against any other person. Now this was curious, for if a witness stated what he knew of his own knowledge, in all probability he would implicate some other person. It was quite possible, that when the report of the committee was published they would find in the evidence a vast variety of accusations against individuals, which, on examination, would be found inconsistent with facts, and with regard to which those individuals would say that had they been called before the committee, or allowed an opportunity of hearing them, they could have rebutted or explained away the allegations. This appeared to him to be a very possible result, and it was therefore highly necessary, not only for the sake of private justice, but for the public satisfaction, that the parties accused should be admitted to hear the charges.

Mr. *B. Escott* hoped that the hon. Member for Bath would not attribute to him that he entertained any desire to impute to him, and to him alone, the outrageous acts the committee had been guilty of on the confession of their own chairman. He did not impute those acts to the hon. and learned Member any more than to any other Member of the committee, but he presumed it would not be thought very extraordinary if he drew the conclusion that the deliberations and proceedings of that committee would be very much guided by the superior learning, intelligence, and ability of the hon. Member for Bath. The hon. Member told them that they were to

judge of the committee by their conduct. He did so, and he found that a part of that conduct was to prevent the parties implicated from being present to hear the evidence given against them. He presumed the hon. and learned Member adhered to that determination, and, not knowing whether the report of the committee might be final or not—not knowing how much longer they might choose to sit and deliberate, he did think it highly desirable that they should adopt the principle embodied in this resolution. The hon. Member told them that he excluded the parties for their own benefit. Now he was not particularly anxious to benefit these parties. He wished all who bought or sold in boroughs to pay the just penalty for so doing. He did not desire certainly that they should be punished with the extreme severity suggested by the hon. Member—that they should be put to the tortures he would inflict upon them—but he did wish them to be properly punished, and he was not to be told that these proceedings were to be carried on in secrecy, because the parties whose dirty practices were to be inquired into were to have their feelings carefully considered. Why should not all the courts be shut against parties either implicated or interested? Because feelings might be hurt by letting in the light of day on evidence by means of which crime was to be punished. He confessed he did not understand the principle laid down by the hon. Member for Bath. He said cross-examination was to be avoided, because he wished that all the proceedings of the committee should be conducted without offence to the feelings of any one. Why, he had always thought that cross-examination was the best security which was provided by the law of England for the elucidation of truth. But, said the hon. Member for Bath, it would be very inconvenient, and would interrupt the harmony of the proceedings of the committee; he called upon the House to wait until they had seen the report; and in the gentlest terms he said or implied that it was drawn in so mild a form, that nobody's feelings would be hurt. He would certainly wait to see the report before he formed any opinion upon the evidence; but what he wanted to know was, why feelings should be allowed to interfere with justice, if such a term could be applied to the proceedings of the committee? He might be wrong; but he had formed an opinion, and, whatever the House might think of it, he would tell them what

it was; he suspected that there was another compromise. He might have been hasty in coming to such a conclusion, but he suspected it from the tone and language of the hon. and learned Member for Bath. What a contrast between the indignation he showed when he denounced the corrupt practices he alleged to have taken place—what a contrast between the language which fell from him when he took the House by storm, and the gentle tone in which he now spoke of the feelings of parties whom he formerly denounced. Seeing such a change, he could not help suspecting, that there had been a compromise—that the whole matter was to end in some gentle, mild report, which could not, by any possibility, injure the feelings of any one. The House showed itself anxious to probe the whole charge made by the hon. Member for Bath to the very bottom, and they had armed the committee with powers accordingly; but now they were to be put off with a report which would make them all look foolish at their having allowed themselves to be taken by the stormy invectives of the hon. and learned Member. He would not say, that the hon. and learned Gentleman would be haunted by any of those feelings of foolishness, but he must say, that he thought the hon. and learned Member had been very ill-advised, when he allowed himself, and induced the committee, to depart from the acknowledged and regular rules of judicial investigation. From the moment the hon. and learned Gentleman declared in that House that the accused were not to be allowed to be present at the inquiry into the charges brought against them, from that moment all the importance which the people of England attached to the proceedings of the committee was gone—utterly annihilated. He did not care what might be the result of the report promised by the hon. and learned Gentleman, but he would tell him that he must in it convince both that House, and the intelligent, thinking part of the public, that he had a strong case, which had justified him and the committee in departing from the regular and established principles of fairness which governed all temples of justice, and to which this committee was the only exception.

Mr. *Labouchere* would confine himself strictly to the question before the House; it was not whether the committee had or had not properly used the discretion given to them, by closing their doors. Upon that point he felt himself compelled to suspend

his judgment until their report had been laid on the Table of the House, and he saw how they had conducted the important inquiry intrusted to them by the House. At the same time, he must say, that if the charge made against them—if he found it should turn out that they had inculpated individuals in the dark—if they had conducted judicial inquiries without giving ample opportunity to the parties charged to hear the charges and make their defence, he should consider that they had acted improperly and irregularly. But that was not the question before the House; it was, was the House prepared to step out of its way to interfere with the discretion of a committee relating to a resolution to which they were informed they were unanimous in coming? In his opinion, the House would deal unfairly and unjustly with the committee if they interfered with them in the manner sought by the hon. Baronet, the Member for the University of Oxford. It was a motion for which he had been unable to find any precedent, and one to which he hoped the House would not give its assent. They were now informed, that the committee had concluded their labours in respect of five of the cases which had been referred to them—that, in fact, the report was printed. It would, therefore, be highly inexpedient for the House to interfere, and require the committee to carry on the remaining inquiry in a manner different from that in which they had thought it their duty to conduct the previous ones. Upon these grounds, he should be prepared to give a negative to the motion.

Sir *R. Peel*, in making up his mind upon the motion of his hon. Friend, would throw out of consideration all regard to the committee now sitting; in fact, they knew nothing of it; but he must say, that if the House had no confidence in it, it would be better that a motion should be made, rescinding the resolution which appointed it, but if the House continued the committee, let it have the full confidence of the House and a free exercise of discretion. Surely the House would not make a retrospective rule, and require the committee again to go over the ground it had cleared. Would they, then, make a prospective rule, applicable to future committees? Would it be wise for the House to lay down a rule which would have the effect of controlling the conduct of all future committees? He, for one, was not prepared to lay down a rule which would so control all commit-

tees to be hereafter appointed as that they should have no discretion as to whom they should admit to hear their deliberations—that they should not have power to say to parties who might be implicated by their proceedings, “You must retire.” He was not prepared to say that all parties implicated in charges which were under investigation before a committee should have an absolute right to insist upon being present, even against the opinion of the committee communicated to them. Supposing such a rule to be laid down,—charges were sometimes made in committees of the whole House; inquiries were sometimes made at the Bar, in which individuals were implicated; would it then be right that those parties should be able to invalidate the act of Mr. Speaker, to invalidate the standing orders, or even to set at nought the unanimous vote of the House by insisting on being present; or that they should have the power to rescind that order of the House which requires that the House should be cleared if one Member should remark that strangers were present? He much doubted the policy of making such a change. He thought it infinitely better that the House should, when they appointed such a tribunal, leave it to the discretion of the committee either to exclude or to allow the presence of such parties as they pleased. There might be cases where charges were under investigation in which the presence of parties might defeat the ends of justice. Take the case of grand juries. [Sir R. Inglis: Before the grand jury only a preliminary inquiry is gone into.] That strengthened his argument, because the committee had no right to affect the rights of any one individual, but the grand jury had the power of sending any person charged before them to his trial, and if the bill was ignored by the grand jury, the party charged stood in a very different and a much better position in society than if they stated that a *prima facie* case had been made out against him; yet the party had not only no right to be in the grand jury-room, but he was expressly excluded by the law. Looking at the function committees were intrusted with, he did not think it would be wise to control them in the exercise of their discretion in the manner proposed by his hon. Friend. He was therefore prepared to give a decided “No” to the motion.

Sir R. H. Inglis, in reply, said, he had worded his motion in the manner in which it appeared on the paper, because he was

informed the committee had not yet reported, and of course the House was presumed not to know in what stage their proceedings were. His right hon. Friend had compared the functions of the committee to those of a grand jury, but he contended that there was no analogy whatever between the two tribunals, and for this simple reason—in the latter, the proceedings were for the purpose of inquiry, those before the committee were for the purposes of trial. He insisted the parties charged before that committee were on their trial. In election committees, the very first proceedings taken were to call in the parties, their counsel and agents, and he contended that the proceedings before the committee of the hon. and learned Member ought to be as open, for he contended the parties before them were on their trial. The hon. and learned Member for Bath could not deny that he had made certain charges before that House, sitting in the character of a grand jury. The charges were entertained, and sent before the committee, who were the jury for trial. [Mr. Roebuck: Investigation.] It might be called investigation at the Old Bailey; but still the investigations entered upon there were trials in every sense of the word. Personally he had nothing to complain of,—he had to return thanks to both sides of the House for the manner in which he was received when he felt it his duty to address them, and he had to thank the hon. and learned Member for Bath for much courtesy; but he could not, like his hon. Friend the learned Member for Winchester, pay him a compliment upon his learning and ability at the expense of the other Members of the committee, especially of the Member for Lambeth, who sat beside him, and whom he knew served upon the committee. With the exception of that hon. Member and one other he confessed, with something approaching shame, that he did not know of whom the committee was composed; but he could not pay them so bad a compliment as to suppose for one moment that they would allow themselves to be passive instruments in the hands of the hon. and learned Member who presided as Chairman. The hon. and learned Gentleman had himself admitted the principle for which he was contending: he said, if they were compelled to deal with hostile witnesses the doors would be thrown open at once. He further said, he had thrown aside his character of judge—he sat no longer in a court of justice—he sat now as

father confessor in the confessional, turning an ear first to one side and then to another to hear all that parties had to say against themselves—to hear all that might be confided to him by willing witnesses. He thought, therefore, that the hon. and learned Member had practically conceded the point for which he contended. The hon. and learned Member for Bath said,—

“By the adoption of this motion, you pass a severe censure on the committee. We have adopted a particular line of conduct, and you, without knowing how this course has operated, censure us for pursuing it.”

He thought, however, that the refusal of the House to entertain this motion would imply a direct censure upon those committees who had made their proceedings public. If the right hon. Baronet at the head of her Majesty's Government had moved the previous question, he might not, perhaps, have thought it necessary to press his motion to a division; but, as the right hon. Gentleman was prepared to meet the question by a direct negative, he considered that he ought to take the sense of the House upon it.

Mr. *T. Duncombe* hoped the House would adopt some rule for regulating the future proceedings of committees on the point at issue; and he moved the previous question.

Mr. *Shaw* said, he understood the hon. Baronet (Sir R. Inglis) to have stated that, if the previous question was moved, he would not press his motion to a division; but the hon. Baronet had now intimated that he felt bound to take the sense of the House on the subject. The substantial question was, he conceived, whether the proceedings before the committee, of which the hon. Member for Bath was Chairman, were in the nature of a trial. The difference between an inquiry—as before a grand jury—and a trial, was this—that in the former case only one party was heard, while in the latter the person accused had an opportunity of meeting the charges alleged against him. Before the committee appointed on the motion of the hon. and learned Member for Bath, charges were made seriously affecting the character and conduct of individuals; and the report of that committee would be, in fact, a verdict as to the proof of those charges.

Sir *R. Peel* said, it was alleged that certain parties were implicated in the charges made before a committee of that House, and that those parties were entitled to be present at the proceedings of the

committee. The House was, then, called upon to say “Aye,” or “No.” If they considered that these parties had a right to be present, let the House say “Aye;” but why should they have recourse to the previous question? He thought it was more advisable, when they could do so, to give a direct negative, than to avoid that course by affirming the motion of the previous question.

Mr. *Aglionby* considered that the motion of the hon. Baronet (Sir R. Inglis) would not lead to any practical result. In the case of that committee, of which the hon. Member for Bath was Chairman, the evidence had been almost wholly heard, and the parties affected by that evidence had not been permitted to be present. He thought that it was right and expedient, as a matter of justice, that in all cases parties accused should have an opportunity of hearing the evidence against them. In this instance, however, the evidence had been heard, the committee had come to a decision, and the motion of the hon. Baronet could produce no result, as far as that committee was concerned. In the cases of the Belfast and Southampton committees, the parties implicated in the inquiry were allowed to be present; and it was, therefore, unnecessary for the House to affirm, by adopting the motion of the hon. Baronet, the propriety of the course which those committees had pursued.

Mr. *Roebuck* said, the question was whether, by a general resolution of the House, they should deprive future committees, appointed to conduct inquiries of this description, of all discretion as to the exclusion of particular parties. In the case of the committee of which he was Chairman, the House allowed them to exercise a discretion. The committee had, in the exercise of that discretion, pursued a particular course; and he appealed to the House whether, under present circumstances, they were capable of judging whether the conduct of the committee was right or wrong. All he asked the House to do was, to suspend their judgment until the evidence taken by that committee was placed before them, and not to adopt a general proposition of this nature.

Mr. *B. Escott* said, the question was, not what was the nature of the evidence taken before the hon. Gentleman's committee, but whether that committee had acted in a legal and constitutional manner. The hon. Member for Bath had not defended the mode in which evidence was taken by

the committee; but he asked the House to suspend their judgment until the evidence was laid before them. Whatever might be the nature of that evidence, it must be unsatisfactory and nugatory, because it had been obtained in an unconstitutional manner.

Mr. C. Buller did not understand what the hon. Member meant by asserting that this committee had proceeded in an unconstitutional manner. This committee, in taking evidence, had adopted the course usually pursued by committees of that House, as well as by commissioners appointed by the Crown. In the case of the committee appointed to inquire into the subject of slavery in the West Indies, evidence was taken affecting parties, who had no opportunity of refuting the statements which were made by the witnesses. With respect, too, to the recent inquiry into the state of the mining labourers, the committee went down into the mines and reported on the condition of the people, but they did not take the evidence of the owners or of their agents. In this case they could not determine whether the committee of which the hon. Member for Bath was Chairman, had acted in a constitutional manner with respect to receiving evidence, until they learned whether it was the intention of the committee to follow up the inquiry by penal measures. If the committee merely inquired into the extent of the corruption which had prevailed, and into the compromises alleged to have taken place, and reported to the House the result of their investigation, with a view to future legislation, he thought the conduct of the committee had been in consonance with the usual practice. If, however, it was intended to follow up the inquiry by penal measures, then he thought it had not been conducted according to the forms of justice, for the parties accused ought to have had an opportunity of being present, and of refuting the charges made against them. He thought the course pursued by the hon. Member for Bath proved that he did not intend to propose any vindictive measures. He believed the object of the hon. Member was to obtain information which might enable that House to legislate for the public benefit. With regard to the Southampton and Belfast committees, which had adopted a different course to that pursued by the committee of the hon. Member for Bath, if they followed up their inquiries by recommending penal measures, he thought

the parties affected by those measures would have no ground of complaint.

Sir R. Peel could not see any practical difference between saying no to the proposition and voting for the previous question. The taking the division on the previous question would lead to two divisions, and so little willing was he to waste the time of the House by technicalities, that he would vote for the previous question, if, by so doing, two divisions would be prevented.

The House divided on the previous question:—Ayes 49; Noes 129:—Majority 80.

#### *List of the AYES.*

Adderley, C. B.	Hughes, W. B.
Antrobus, E.	Hussey, T.
Arbuthnott, hon. H.	Johnson, Gen.
Attwood, M.	Kemble, H.
Bagge, W.	Law, hon. C. E.
Bateson, R.	Leicester, Earl of
Browne, hon. W.	Litton, E.
Buckley, E.	Lockhart, W.
Chapman, A.	Lygon, hon. Gen.
Chetwode, Sir J.	Mackenzie, T.
Crawford, W. S.	M'Geachy, F. A.
Cresswell, R.	Mainwaring, T.
Dick, Q.	Morgan, O.
Duffield, T.	Mundy, E. M.
Fitzroy, hon. II.	Palmer, R.
Forbes, W.	Palmer, G.
Fuller, A. E.	Rous, hon. Capt.
Gladstone, T.	Scarlett, hon. R. C.
Goring, C.	Shaw, rt. hon. F.
Gregory, W. H.	Stewart, J.
Grimsditch, T.	Trevor, hon. G. R.
Grogan, E.	Trotter, J.
Halford, H.	Vere, Sir C. B.
Henley, J. W.	TELLERS.
Hervey, Lord A.	Inglis, Sir R. H.
Hornby, J.	Escott, B.

#### *List of the NOES.*

A'Court, Capt.	Chelsea, Visct.
Aldam, W.	Childers, J. W.
Baldwin, B.	Clayton, R. R.
Bannerman, A.	Clerk, Sir G.
Baring, hon. W. B.	Cockburne, rt. hon. Sir G.
Baring, H. B.	Colebrooke, Sir T. E.
Barnard, E. G.	Denison, E. B.
Bentinck, Lord G.	D'Eyncourt, rt. hon. C. I.
Berkeley, hon. Capt.	Dickinson, F. H.
Berkeley, hon. G. F.	Duncan, G.
Bernal, R.	Dundas, Adm.
Blackburne, J. I.	Eaton, R. J.
Blakemore, R.	Ellis, W.
Bowring, Dr.	Eliot, Lord
Brocklehurst, J.	Elphinstone, H.
Brodie, W. B.	Flower, Sir J.
Brotherton, J.	Follett, Sir W. W.
Bruce, Lord E.	Forster, M.
Buller, C.	Fremantle, Sir T.
Busfield, W.	Gaskell, J. M.
Cardwell, E.	Gill, T.



Gladstone, rt. hn. W. E.	Peel, J.
Gore, M.	Philips, G. R.
Goulburn, rt. hon. H.	Phillpotts, J.
Graham, rt. hn. Sir J.	Plumridge, Capt.
Greenall, P.	Pollock, Sir F.
Greene, T.	Pryse, P.
Hamilton, W. J.	Rice, E. R.
Hamilton, Lord C.	Roebuck, J. A.
Harcourt, G. G.	Rushbrooke, Col.
Hardinge, rt. hn. Sir H.	Scholefield, J.
Hastie, A.	Scott, R.
Hawes, B.	Seale, Sir J. H.
Hill, Lord M.	Seymour, Lord
Hindley, C.	Smith, A.
Hodgson, R.	Smyth, Sir G.
Hope, hon. C.	Somerset, Lord G.
Howard, P. H.	Stanley, Lord
Hume, J.	Stansfield, W. R. C.
Humphrey, Ald.	Strutt, E.
Hutt, W.	Sutton, hon. H. M.
Jermyn, Earl	Tancred, H. W.
Labouchere, rt. hn. H.	Thesiger, F.
Langton, W. G.	Thornely, T.
Lascelles, hon. W. S.	Trench, Sir F. W.
Layard, Capt.	Troubridge, Sir E. T.
Lincoln, Earl of	Vane, Lord H.
Macaulay, rt. hn. T. B.	Vesey, hon. T.
Macnamara, Major	Villiers, hon. C.
Marsland, H.	Waddington, H. S.
Masterman, J.	Walker, R.
Mitchell, T. A.	Wallace, R.
Morris, D.	Watson, W. H.
Morison, Gen.	Wawn, J. T.
Nicholl, right hon. J.	Wood, B.
O'Brien, J.	Wood, C.
O'Connell, M. J.	Wood, Col. T.
O'Connell, J.	Wrightson, W. B.
O'Connor, D.	Young, J.
Ord, W.	
Packe, C. W.	TELLERS.
Peel, rt. hon. Sir R.	Duncombe, T.
	Aglionby, H.

#### HARBOUR OF REFUGE AT DOVER.]

Mr. Rice in moving for a copy of the report of the officers appointed by the Admiralty to consider the plans of Mr. Cubitt for constructing a harbour of refuge at Dover, expressed a wish that the right hon. Baronet (Sir R. Peel) would give some assurance that the serious attention of the Government would be directed to the very important subject of constructing a harbour of refuge in the narrow channel for the protection of our coast. With regard to the expense, it was his opinion that in a few years the whole expense would be saved, not only in the saving of time, but in the saving of human life in our commercial navy.

The Chancellor of the Exchequer had no objection to the production of the paper called for by the hon. Member. He was quite sensible of the great importance of the subject to which the paper related.

But it was a question which required very full consideration on the part of the Government before it undertook so great a work. The expense of the proposed harbour had been estimated to amount to between £500,000 and £600,000. The hon. Gentleman must not therefore be surprised if he, in the present state of the national finances, forbore giving any pledge as to what course the Government might at any subsequent period take. He would repeat that he was quite sensible of the importance of having harbours for the protection of the commercial navy on all parts of the coast. A variety of plans had been submitted to the Treasury, each plan in itself of great importance, and it would be premature for the Government to pledge themselves to any work of an extensive character before they had fully considered all that bore upon the undertaking.

Sir R. Peel was willing to abide by the opinion he had expressed on a former occasion, when this subject was brought under the notice of the House. That opinion was, that mere local exertions were not likely to be effective, and that he thought it would be better to make one extensive harbour, constructed on the best principles that science could suggest. But whether that harbour should be at Margate, at Hastings, or at Dover, he expressed no opinion. He thought that the Government should take the highest professional opinions upon the subject, and then form one harbour upon an extensive scale. He also had said that in the present state of the national finances he could not press upon her Majesty's then Government to undertake so great a work. He confessed he could not see any such improvement in the financial affairs of the country as to induce him to be more earnest in pressing forward the undertaking now than he was formerly. He could assure the hon. Gentleman that there was hardly a port on the coast respecting which similar plans had not been suggested to the plan which related to Dover. One plan had been proposed with respect to the island of Jersey, another to the Isle of Man, and others with respect to the eastern coast. The hon. Gentleman must, therefore, excuse him, if he declined giving any assurance whatever respecting an undertaking depending so much upon contingencies; even if he could foresee that prosperity in the affairs of the country which the hon. Gentleman appeared to an-

ticipate, still he should like to realise it, before he made any pledge as to the works the Government might undertake in consequence of that prosperity.

Captain *Plumridge* wished to call the attention of the right hon. Baronet to the case of the harbour at Falmouth, which he considered to possess peculiar claims on the Government. It was a port where nature had done everything, and art had done nothing but to destroy. It was the very eye of the channel, and he hoped the right hon. Baronet would grant the loan of a steam vessel to be stationed at Falmouth, the use of which would be extremely advantageous. He made this appeal in the name of his constituents and of his own to her Majesty's Government.

Sir *Robert Peel*, without wishing to mean anything discourteous to the hon. Gentleman, felt bound to decline giving any pledge on the matter. It would be much better that these things should be done in a formal shape.

Motion agreed to.

#### IMPORTATION OF FOREIGN CORN.]

Mr. *Bannerman* rose in pursuance of notice, to move the following resolution:—

"That it is the opinion of this House, that, considering the present state of the country, it would be highly expedient to vest in her present most gracious Majesty similar authority to that which was given to her predecessors, and this House, before the close of this Session, will cheerfully acquiesce in granting such powers as may enable her Majesty, with the advice of her Privy Council, to reduce or discontinue, should circumstances so require, the duties which now regulate the importation of foreign Corn, until the 1st. day of January, 1843, or for six weeks after the commencement of the next Session of Parliament."

It might be said that if it were at all necessary that her Majesty's Ministers should have the powers he proposed to give them, they ought to come down to the House and ask for it: it might be said also, that this was a reopening of the discussion on the Corn-laws; and it might further be said that if the House agreed to this resolution, it would be tantamount to giving the right hon. Baronet a vote of confidence, and thereby leave in his hands a discretionary power either to relax the corn duties, or entirely to discontinue those duties which Parliament in its wisdom decided to impose. All these things might be said, but it was his decided opinion, that it was their duty be-

fore the close of the Session, not only to agree to any measure which might be proposed by the Government, but to anticipate her Majesty's Government in any measure which might tend to alleviate the unparalleled, the alarming, and the long-continued distress which had existed in this country, and which he feared would not merely pervade the manufacturing districts, but would extend to almost every class of her Majesty's subjects. The existence of that distress was acknowledged on all hands; he, therefore, could not see any ground for refusing to give the power to her Majesty's Government which he proposed to do, and which, without doing injury to any party, might be beneficially exercised for the suffering multitudes of her Majesty's subjects. For a long series of years this country, it was almost needless for him to state, was a large exporting country for corn. From the year 1697 to the year 1765 the exports of grain exceeded the imports by many millions of quarters. Since the year 1797 this country had generally been an importing one for grain. Parliament had oftentimes interfered to prevent the exportation of corn and to encourage importation of foreign Corn. By the 8th of Anne, chap. 2, the Queen, by proclamation, was allowed to prevent the exportation of corn, and distillation from grain. The Parliament of that day anticipated a scarcity of grain, and they wisely provided against it by giving the Crown power to prevent exportation. By the 14th Geo. 2nd (1741), the same power was given to the King; and by the 5th Geo. 3rd (1765), his Majesty was authorized to prohibit the exportation of wheat, wheat-meal, and other articles of grain. A return was made to that House, dated 11th February, 1842, setting forth the various acts of Parliament which had been passed for the regulation of the exportation of corn. Useful as this document was, still it was defective. It referred only to those acts which related to the exportation of corn, amounting to thirty-one in number; but it did not set forth the acts relating to the importation of foreign corn, although there were twenty-one such acts. One of those statutes was rather important. It was the 35th Geo. 3rd, cap. 4. (1795), and was introduced by the Government in consequence of a Speech from the Throne, on the opening of that Parliament, in which his Majesty said, that he had

observed, for some time past, with great anxiety, the high price of grain; and that that anxiety was increased by the apprehension that the wheat harvest for the then year would not be effectual to relieve the people from the afflictions with which they had to contend. In consequence of that speech, a law was passed to prohibit distillation and exportation of corn. On the 7th of December, 1795, he found the Chancellor of the Exchequer, in stating his budget to the House, speak thus:—

“Another important sum which they would have to look for in the course of this year would be, the bounties on the corn to be imported into this country. On that head he could not pretend to speak with any certainty. It was a head of service to the amount of which he looked with hope rather than fear, and he should be extremely happy to find that he had a great sum to provide for upon that account. He thought, however, the sum of 1,000,000*l.* was as large a sum for bounties as was likely to be called for.”

From the year 1796 to the year 1805, no less a sum than 2,856,000*l.* was paid for bounty on the importation of foreign corn. He would now call the attention of the House to another important statute—the 39th Geo. 3rd, cap. 87. (1799). It authorised his Majesty to prohibit the exportation of corn, and to permit the importation of foreign corn in British and neutral ships, duty free, which act was continued by subsequent statutes to the end of the war. But important as were these provisions, there were others still more striking; for the statute went on to authorise the importation, duty free, of all sorts of pulse, of bulls, cows, oxen, calves, sheep, lambs, swine, beef, bacon, hams, tongues, potatoes, rice, poultry, and many other articles, without payment of any duty whatever. The next statute to which he would refer was one of a much more recent date than those he had hitherto quoted. It was a statute which was passed in the year 1826, when the right hon. Baronet (Sir Robert Peel) was Secretary of State for the Home Department, during Lord Liverpool's administration. On the 18th of April in that year Mr. Whitmore brought forward a motion for a committee to revise the Corn-laws. The Government resisted the motion. Great distress prevailed in the manufacturing districts during that year, and although the Government refused to interfere with the Corn-laws, yet Mr. Canning came

down to the House on the 1st of May, and gave notice of a motion with regard to the distress which pressed upon the manufacturing population of the country. Mr. Canning, on that occasion, observed that—

“He was sure a measure of relief at the present crisis would come home to the feelings of every Member of the House; and whatever might be the inexpediency of interfering to disturb a measure which Government had refrained from altering, there were moments when general expediency should give way to cases of particular emergency. Under the existing distresses, it was the intention of Government to propose to the House a measure the least pregnant with evil, and the most calculated to do good.”

It was then proposed that wheat and wheaten flour then in bond should be allowed to be taken out of the warehouse at a certain duty, and that the King in council should have the power to allow the importation of foreign corn, the quantity not exceeding 500,000 quarters. The agricultural interest was most strenuously opposed to the Government on the occasion. [An hon. Member: What was the duty at that time?] 12*s.* a quarter. On the 5th of May the question was debated, and Mr. Canning quoted two letters which, with the permission of the House, he would read, as they served to show the very great and good effect which the measure proposed by Government had on the mercantile interests of the country —

“I hope it will not be considered an unfair inference, that if I show what we have already done, and the expectation of what we are about to do, to be producing great good, I may be allowed to anticipate still greater good from the consummation of our intentions. The account of what we proposed upon the subject of the bonded corn reached Liverpool on Wednesday morning; and on this day there are letters in town, one of which has been put into my hand just before I came down to the House. It is not from any friend of mine, nor an acquaintance, nor a political supporter either of mine or of my right hon. Friend who succeeded me in the honour of representing that city in this House; but, on the contrary, from a gentleman decidedly opposed to me in politics. I know him, however, to be a man of high honour, unquestioned integrity, and possessing great estimation as a mercantile character in the city where he resides. In this letter, dated from Liverpool, an extract of which I shall take the liberty of reading to the House, he says, ‘There has been a slight improvement to-day in Manchester goods, but the moment it became known that it was the in-

tion of Ministers to introduce a measure for our relief, by removing the restrictions which kept the bonded corn out of the market, cotton could not be obtained at an advance of 5 per cent.: and there seemed to be a very general restoration of confidence, arising from the feeling that Government would do all in their power to relieve the sufferers.' This was the language of one letter. Since I entered the House, however, I have received another, which is also not addressed to me, or to any friend of mine, and I believe the writer to be opposed to me in politics. I know, however, that he is a person of respectability. His letter, dated 3d of May, runs thus:—'The account of what has been proposed by Ministers has made us all alive, and led to a very general improvement in trade. Holders of cotton are all speculating upon a rise; and there are no sellers to-day.' Surely it could not be said, after this, that the measure recommended is not founded upon good principles; and, even if the practical effect may be in some measure over-rated, it must be a matter of congratulation to its proposers, and an encouragement to perseverance, when they see that the expectation of its effects is likely to produce a return of that confidence, without which the manufacturers cannot hope to be rescued from their present difficulties."

The next quotation which he would take the liberty to read to the House was from the speech of a living statesman whom he saw on the opposite bench—the right hon. Baronet the Member for Tamworth. During the discussion on the motion of Mr. Canning, it had been argued that it was needless to open the ports, or to take corn out of bond, because what the people wanted was work, and that without it they had no money to pay for the corn, whether bonded or not. How did the right hon. Baronet meet that objection. He said:—

"My hon. Friend who spoke last has said, and I have heard the observation repeated more than once by others, that there is no use in increasing the supply of corn in this country, and lowering its price; since they who are in want of money altogether cannot buy it at any price, however low. Why, Sir, what miserable sophistry is this? To suppose that there are no classes in this country except those who are abounding in wealth, and can command all luxuries—and those who are in the other extreme, and unable to purchase even the necessaries of life. But I put it to my hon. Friend, whether there are not between those two classes many intermediate ones, who possess, in various degrees, the means of purchasing some of them the luxuries, some the comforts, and some the necessaries of life? Is it possible to contend, that no immediate advantage will result to the

other classes from lowering the price of corn to them, if it shall have attained such an additional price in the market as to render it dearer than it is at present? Look at the distressed classes of manufactures; look at the number of unemployed persons who are suffering, at Rochford there are 10,000, at another place 12,000, at another 15,000. How are they supported at this moment? Why, Sir, they are supported by the benevolence of their neighbours. And if the effect of the measures proposed by my right hon. Friend be to enable those neighbours, with the contributions raised for their relief, to purchase additional supplies of corn, to be afforded to those who have no means of purchasing it, what folly is it to contend that lowering the price of corn, and thereby enlarging the quantities which such monies will purchase, will not relieve the unfortunate people in question? When my hon. Friend says that no case had been made out, I would ask what it is he means? Quite sure I am that I may appeal to the committee whether, in the very fact of those existing distresses, such a case is not made out? I am so confident that the general conviction of the distress which now prevails in the manufacturing districts must have come home to the mind and knowledge of every man, from the information which has been supplied on that head by the daily newspapers, as to be perfectly satisfied that the same motives which induce Parliament to concur in the proposition for letting out the bonded corn, will also induce it to give a discretionary power to the Government to do precisely the same thing, or a measure of similar effect; that is to say, to admit 500,000 quarters of foreign corn into our ports."

Certainly no Member could controvert the arguments then used by the right hon. Baronet. He would now advert to the expressions used on the same occasion by the noble Member for North Lancashire, who at that time, as at present, he was bound to admit, entertained a strong feeling in favour of the distressed manufacturers. The hon. Member read an extract from the speech of Lord Stanley, in 1826, applauded the beautiful language in which his sentiments had been expressed, and continued by reading a quotation of precisely the same tenor from a speech by the Earl of Aberdeen. He had thus quoted to the House the opinions of these distinguished individuals, Members of the present Government, delivered in the year 1826. It would no doubt be urged that the years 1826 and 1842 were dissimilar in several respects, particularly as far as Parliament was concerned, because in the former year it had refused to legislate regarding corn, whereas in 1842 a measure

had actually been passed at the instance of the right hon. Baronet, and after long discussion. But he begged to direct the attention of the House to the operation of the new law as far as it had gone, and as far as it would be collected from a return up to the 5th June, moved for by the noble Member for London. It appeared that on the whole there were in bond at the present moment 1,375,000 quarters of wheat, and how much had been taken out of bond? Only 92,000 quarters of foreign wheat at a duty of 12s., and 60,000 quarters of colonial wheat at a duty of 1s. Thus it appeared that the right hon. Baronet was completely wrong in his anticipations as to the effect of the new law, since so small a quantity of wheat had been taken out of bond. The answer might be that if the price ascended more, wheat would come out at a lower rate of duty. But when was that to happen? And in the mean time the people might be deprived of the advantage of having for consumption a large quantity of corn now in bond, and as completely removed from their reach as if it had remained in Denmark or Prussia. This was a state of things that ought not to exist in the present condition and with the present prospects of the country. Before he sat down he would briefly advert to what had been said by the right hon. Baronet on a recent evening. He had stated that, in 1833, 1834, 1835, and 1836, the manufacturing districts were in a most flourishing condition. That was an undeniable fact—it was undeniable, too, as the right hon. Baronet had observed, that little or no corn was imported in those years. The inference he had drawn was, that the exchange of corn for manufactures was not of much consequence to the manufacturers; but what was the case as to price? In the four years when manufactures were so flourishing, the price of wheat had averaged only 46s. 8d. per quarter: while in the following years 1837, 1838, 1839, and 1840, the price had been as high as 64s. 4d., a difference of no less than about 17s. per quarter. In 1841 and 1842, the state of things had been even worse, and he left the House to judge, therefore, of the enormous amount paid by the consumer. He had given these details in explanation of the statement of the right hon. Baronet, because he found that that statement had produced some effect out of doors. Having fortified himself already by the opinions

of three Members of the present Government, he felt justified in asking the House to adopt the resolution he had laid upon the Table, and he would conclude by moving it, without attempting to add one word to the rebuke administered by the right hon. Baronet, to those who contended, in 1826, that it was an advantage to the poor to reduce the price of corn.

Mr. Gladstone said, he was sure it was the unanimous feeling of the House that a proposition which had for its object to afford relief to the labouring population of the country ought to be entertained not only with temper and respect, but also with a desire to discover if it were calculated to effect the object for which it was intended. At the same time he must call upon the House to reject the proposition which had just been submitted to them, feeling that it was one which would fail of attaining the purpose which the hon. Mover had in view, as well as one which involved principles of the most dangerous and objectionable character. The hon. Gentleman had rested a great part of his case on the precedents of former acts. He would therefore briefly refer to those precedents. The hon. Gentleman referred in the first place to a series of acts passed during the revolutionary war, which gave to the Crown very large discretionary powers to permit the importation of foreign corn. He said, with regard to those acts passed during a period of war, they were entirely beside the present question. If they looked to the state of things existing at that period, it was altogether different from the present, whether as regarded the consumers or the producers of agricultural commodities. As regarded the consumers, those acts were passed when extremely high prices prevailed, when commerce was hampered and restricted, and when there was an absolute necessity for gathering provisions from whatever quarter they could be procured. The first act passed under such circumstances was in 1795, when the average price of wheat was 75s. 2d.; the act was renewed in 1799, when the price averaged 69s. There were but two years from 1799 to the termination of the war in which the average price of wheat was under 70s.; it was generally from 70s. to 80s., from 80s. to 90s., or from 90s. to 100s. It was under these circumstances that a discretionary power of opening the ports was granted to the Crown, in order to en-

courage the importation of wheat from every quarter. Evidently, under those circumstances, it was a matter of the most vital necessity to the consumer to reduce the price, and on the other hand the producers had no reason to apprehend any reduction of price which could give them ground of complaint. But, although we had a right to expect of the producers a total abandonment of their protective laws in time of war, it did not therefore follow that in time of peace, when prices were not extravagantly high, we could make any such demand. The hon. Gentleman referred to the only precedent which appeared to give a qualified support to his motion; he meant the precedent of 1826. There were many particulars in which the case to which that precedent was applied differed from that now before the House. In the first place, the act of 1826 was intended to admit only a very limited quantity of corn—500,000 quarters. That quantity would produce but a very immaterial effect on the price of corn in this country, and he did not think the hon. Gentleman would be at all satisfied with any such reduction in the price as might be occasioned by admitting that quantity. This precedent, then, carried the hon. Gentleman no further, and, in arguing his proposition, the hon. Gentleman must seek other grounds for it than an Act of Parliament which gave a discretion, not with respect to an unlimited, but, on the contrary, a strictly limited quantity of grain. That act passed, he believed, in the prospect of a deficient harvest, of which, he trusted, there was no likelihood at the present moment. The act was passed with the condition that it should be competent for the Government under it to levy any duty on the grain so taken out of the warehouses which should not exceed 12s. a quarter. The intentions of the act would have been fulfilled if 500,000 quarters had been admitted at a duty not exceeding 12s. The hon. Gentleman must be quite aware that to lay down such conditions as that at the present time would be perfectly ridiculous, when any man might introduce his wheat into the market on the payment of a duty, not of 12s., but of 9s. a quarter. Again, the system of Corn-laws existing in 1826, when this measure was passed, was entirely different from that which the House had lately sanctioned. There was a totally different

system of averages; the ports were opened for three months at a time and shut for three months at a time, and they were liable to be opened or shut by the very nicest differences in the markets; which made the arrangements totally inadequate to meet the wants of the country. There was then also a prohibition of all importation until the price reached 80s.; corn could not then be introduced, as now, on paying the duty, whatever it was, which happened to be leviable at the moment of importation. The act of 1822, which introduced a different system, had never come into operation, and the act of 1819 was in force. He believed he was not incorrect in stating, that the existence of this prohibitory law and the necessity it was found to superinduce the granting those exceptional powers, was in itself one of the grounds on which an alteration of the then existing Corn-laws was proposed in order to put a stop to the system of absolute prohibition up to a certain price, and substitute one under which corn should be admitted at all times on payment of duty fixed by the act. Thus the Legislature dispensed with the necessity of leaving those large and arbitrary powers in the hands of the executive Government. He would not dwell at any length on a point which must have occurred to hon. Gentlemen—the danger of granting this unconstitutional power on a scale so enormous and unlimited as was contemplated by the hon. Gentleman. The proposition was one which, although not brought forward in that spirit, it would be almost impossible on any considerations drawn from the nature of a free constitution, to entertain. Was it to be supposed that on one of the most important questions that could engage the attention of the Legislature, a question affecting the subsistence of the people, affecting great masses of capital and labour, and nearly concerning the employment and comforts of the bulk of the community, Parliament was entirely to divest itself of its high function of providing for the public weal, and commit an arbitrary, unfettered, despotic power to the hands of the executive Government? Did the hon. Gentleman mean that the discretion which he proposed to vest in his right hon. Friend (Sir R. Peel) as a mark of his high confidence in the Government—and he must say that a higher proof of confidence it would be difficult to give, for

never had a more extravagant proof been given by any supporter of a Government than was now proposed to be given by one of its opponents—was it the hon. Gentleman's intention that this extraordinary indication of his confidence was to be at the disposal of the executive Government at a time when the average prices of corn were moderate, or was the discretionary power only to be exercised when they were extravagantly high? [Mr. *Bannerman* meant when the price was at 57s.] He wished to know, because the powers which the hon. Gentleman proposed to give were so large that unless accompanied by instructions of some kind, they would leave those to whom they were confided in a state of the greatest embarrassment. But if the hon. Gentleman intended that they should be exercised at the present rates of prices, then he said that the hon. Gentleman was doing that indirectly which he ought to do directly. The hon. Gentleman ought to raise the question of the repeal of the law if he wished to effect that object, and not to propose to set it aside by placing absolute power in the hands of the executive Government, instead of Parliament, the regular constitutional authority. But if, on the other hand, the hon. Gentleman meant that the power should only be exercised in times of scarcity, then his plan would have all the objections which must attach to the alteration of a great economical law as well as all the objections brought against the present Corn-law. It would have those effects of disturbing capital, labour, and confidence, which would attend the repeal of the Corn-law, without the beneficial effects which that measure might have. It would place in the hands of the corn importers the power of increasing the sufferings of the consumer by withholding their corn till the price reached an extravagantly high rate, in order that it might then be introduced at a very low duty, and augment the profits of the dealer. If, therefore, it was proposed that corn should be introduced at the present prices, which without being extravagant or exorbitant were high, this was a most unconstitutional proposition, and it was contrary to common sense and common reason that Parliament, instead of altering the Corn-law, should give the power of doing so to the Government—should divest themselves of their high functions and commit them to *the Executive*. If, on the other hand, it

was intended that the power of introducing corn should only be exercised when prices rose very high, then the hon. Gentleman proposed to do that which had been urged as an objection to the graduated scale, namely, to hold out an inducement to the holders of corn to keep it back, until they could introduce it on terms most advantageous to themselves. If the hon. Gentleman's proposition had any meaning at all, it ought to have been brought forward in the shape of a motion for the repeal of the Corn-law. After the discussions which had taken place during the present Session he would not for one moment entertain any such question. The hon. Gentleman had spoken of the operation of the law in a way which facts did not justify. The hon. Gentleman had alluded to the limited quantity of corn which had come in for consumption since the operation of the present law. Now, it should be borne in mind, that they were still passing through a most critical period of the year; and he could not conceive anything which would have a more unfavourable effect on the minds of the holders of corn, or which was more calculated to induce them to keep back their grain than the knowledge that the hon. Member was moving the House of Commons to stultify and contradict the decision to which it had so lately come, and was actually proposing a measure which would give the holders of grain an opportunity of introducing it at no distant time into the British market free of duty. If there were any disposition, as he was confident there was not, to re-open the question of the Corn-laws, which it cost three months to settle, such a course would have a most unfavourable operation on the corn-market, and on the subsistence and comforts of the people. It was clear that the period of the two feverish months which had elapsed since the Royal assent was given to the Corn-bill, could afford no rational means of judging of its effects. They must be content to wait longer before they could fairly say how it operated. But, judging merely from the experience of a few weeks, he was not prepared to go the length of saying, with the hon. Gentleman, that the operation of the new law had been totally unsuccessful. As far as the accounts were made up, it appeared that there had been an introduction, since the operation of the new law, up to the 13th of June, of 190,000 quarters. He admitted that this

quantity was less than the wants of the country required. But, then, it was the hon. Gentleman, together with those who supported his motion, that contributed more than any other parties to induce the holders of corn to keep it back. He had, however, reason to suppose, that the holders of corn in this country, acting with that sagacity, which almost uniformly marked the operations of British merchants, would be inclined, particularly if they perceived that the mind of Parliament was fixed as to the Corn-law, to introduce a large supply from the bonding warehouses, which would afford seasonable aid to the revenue, and what was still more important, great relief to the consumers. If the contingency contemplated by the hon. Member (Mr. Bannerman) should unfortunately arise, it ought to be dealt with in the same way as it had been dealt with in 1826. The right way in his opinion to meet such a contingency was to act upon the constitutional principle and call the Legislature together to decide and determine as to the course the Government ought to adopt in regard to a question of such grave moment and deep interest to the community. The proposition, then, of the hon. Gentleman, in whatever point of view contemplated, was such, he thought, as Parliament could not entertain.

Mr. H. G. Ward entirely concurred in one or two observations of the right hon. Gentleman who had just sat down. He admitted that it would have been a much more direct and desirable course for his hon. Friend to have proposed the repeal of the Corn-law; but, unfortunately, such a motion could not be carried. Since, then, the law could not be repealed, the object was to modify and moderate the evil. The enemies of the present system saw a state of affairs approaching pregnant with difficulty and danger, and they wished to take a course which was open to them, and which would diminish the difficulty and mitigate the danger. The only means left to them was to increase and enforce the responsibility of Ministers. The right hon. Gentleman had spoken of this motion as an extraordinary mark of confidence. He admitted that it was so, but there was a great deal in the state of the country which required it. The friends of the suffering classes were taking the precise course which the right hon. Baronet (Sir Robert Peel) had

recommended in 1826, and yet his right hon. Colleague insisted that it was unconstitutional, and that no such power ought to be entrusted to any executive Government. He might leave him to settle that point with the right hon. Baronet, and certain it was that all the arguments this night advanced against the motion had been anticipated and answered by Mr. Huskisson in 1826. He had disposed of them all. What was the point upon which the whole case turned? That there were emergencies in the state of this country, under the factitious system which her lawmakers had chosen to establish, which must overrule everything, and which would only be met by extraordinary powers. The supporters of the present motion contended that the present was one of those emergencies; it was impossible to witness the rapid increase of distress in all quarters, without investing Government with the power of administering immediate relief. The present Administration had brought this state of things upon themselves, by insisting upon having a law which kept a million of quarters of wheat from a starving population. If Ministers chose to have this law, they ought to have it with all its responsibilities; and let them answer to Parliament, when it again assembled, for the exercise of the power. Such had been the argument of Mr. Canning in 1826, and that was all that was now sought by the motion before the House. It was his belief that the country gentlemen would be more disposed to refuse placing trust in the right hon. Gentleman than himself. They would not be willing to give him in such a case the power that he was disposed to confide in the right hon. Gentleman. The country gentlemen, he believed, were afraid that the right hon. Gentleman would apply the principles of the tariff to the Corn-law. Their sentiments, he believed, were those that on a former occasion had been expressed, on the part of the agricultural interest by Sir John Brydges when similar powers were proposed to be confided in the Government, for he declared that giving such a power would be "a death-blow to the agricultural interest and a death-blow to the Constitution." He it was, he believed, who said, "Perish commerce, but live the Constitution." Upon a former occasion Mr. Huskisson had met every one of the arguments that had been used



now, and he showed that Parliament refusing such powers as were now proposed to be given to the Government would incur a fearful responsibility. As to the Constitutional part of the question, he must say that, as it was one on which the right hon. Gentleman (Mr. Gladstone) had so strongly insisted, it was to be wished that he had read the debates which had taken place regarding it very attentively. If he had looked to these debates, he did not think that the right hon. Gentleman would have ventured to touch upon such a point. The right hon. Baronet the head of the Treasury had, on the former occasion, insisted that the Government should have the responsibility that they claimed—that it should rest with his Majesty's Government, and the right hon. Gentleman had well said that there were two kinds of courage—the courage of resisting improper demands, and the courage of assenting to proper demands when they were encountered by an improper clamour. He must say that he wished the Government had had the manliness to admit their error at the commencement of this Session, and to say that the sliding-scale was founded on a false principle. From what he saw, he anticipated that the House would be called upon to meet before the winter, in order that it might meet the fearful state of things that might be expected to arise. He supported the present motion, although he admitted that he should have preferred the question being brought forward in a fairer and fuller shape. This was at best but a temporary remedy for a permanent evil, and as such he preferred it to no remedy at all.

Lord Worsley remarked, that the present motion did not attract that degree of attention and observation which it might have done if brought forward at an earlier period of the Session. In his opinion, it was a motion for upsetting the Corn-law altogether. In saying this, he could not but admit that the Corn-law had not attained that object which it proposed to have in view. Now he objected to it on this ground, that the resolution would put it into the power of the Government to destroy the protection of the agriculturists. Such a power he would be sorry to give to the present Government. The only effect of it would be to induce speculation—to incite parties to get up the price of wheat, and to cause

the greatest distrust to agriculturists, who could never know when they were safe. The Vice-President of the Board of Trade said, that there would not be a deficient harvest; now he must say that he was sorry to maintain that of which he felt convinced, that there would not be an average crop. He found that under the present law the same tricks were played as under the old with the averages; and he must declare that he was not disposed to place in the power of the Government to decide and judge when corn ought to be admitted. Such a power he would not place in the hands of any Government. Let, he said, Parliament be the authority on this point, and not the Government of the day.

Mr. M. Milnes said, he believed the Government was strong enough and virtuous enough to take upon themselves any responsibility whatever, and he therefore very much regretted that they had not willingly acceded to the motion that was made from the opposite side of the House. When he saw, day after day, these frightful accounts of the accumulating distress of the country and the scandalous price of corn, until the last two or three days, when the price was somewhat diminished, he felt that they ought to do nothing whatever to discourage the feeling of the country, that the Government would do everything in their power to relieve the enormous difficulties that now pressed upon the people. He thought that in such circumstances we should be prepared for the worst, and that the Government, having brought in the present Corn-bill under the conviction that the price of corn would be diminished by it, should take upon themselves the responsibility of relieving the enormous exigencies of the country. He felt very deeply on this question; and nothing but the conviction of the importance of it would prevent him from voting with the party with whom he should always wish to vote.

Mr. P. M. Stewart thought the hon. Member had mistaken the price of corn for the duty—the duty was falling but the price of corn was rising. He supported the motion, because he was convinced that the necessities of the country required it. In saying this, he admitted that he belonged to that small section in that House, destined, he believed, soon to increase, which was for the entire abolition of the corn

duties. He believed that it was the object of the Government to have a steady trade in corn; but he could tell them that in such an object they had totally failed. He could tell them that the best authorities in Mark-lane declared that they could scarcely know that the law with regard to corn had been altered—that the trade was now as much a matter for speculation as it formerly used to be. There were now 1,400,000 quarters of corn in bond—that was the precise quantity—and the traders were now playing for the 9s., as they formerly did for the 21s. He could tell the right hon. Baronet that his scale was considered the safer of the two for the speculators; for although the stake was smaller, the risk was less. The speculating, and the playing for the low duty was, however, the same as it had been. He did not know, however, that he should have taken part in this debate, if he had not received that day a letter from New Orleans, which gave an admirable statement of the wants and wishes of the Americans, and so strongly confirmed the views of the hon. Member for Inverness (Mr. Morrison). He should now read the letter, and leave to the right hon. Baronet to make the fitting comment upon it. The letter said this:—

*"New Orleans, June 6, 1841.*

"We wish we could add that the alteration in the British Corn-laws had been of that nature, to allow the industrious agricultural population of our back states to have placed a greater breadth of their now idle, though rich, lands under cultivation. Unfortunately, no such inducements are held out by an uncertain and varying duty. The new Corn-law of England must act disadvantageously on distant markets, and throw all the favourable opportunities for importing grain into the hands of more the contiguous speculators. Our farmers see themselves not only deprived of what is to all a familiar, and to many a native market; but are also debarred from drawing thence the supplies they are most in need of but for which an adverse policy will permit of no exchange.

(Signed) "LIZARDI & Co."

As to the precedent of 1826, he was not disposed to agree with the right hon. Vice-President of the Board of Trade with regard to the opinions he expressed as to the present situation of affairs not being similar. He thought there was a great similarity in the circumstances of 1826 and 1842; but then, indeed, it might be owned that the manufacturers were not distressed the one-hundredth part then

that they were now—they had the same misery now that they had then—they had heard that misery described in the debate on the motion of the hon. Member for Greenock—they had then, as they had now, a Royal Letter to raise money for the poor; and what, on such an occasion, were the words of the right hon. Baronet the Member for Tamworth?

"That discretionary power, with which it may be a matter of prudence, and a means of safety to invest them, in the apprehension that there may be a grievous pressure experienced by the people from the possible rise of agricultural produce beyond its present prices."

These words were uttered by the right hon. Baronet on the 5th May, 1826. The average price of wheat then in the London market was 61s., and now it was 63s. The average price of oats then in the London market was 23s., and now it was 20s. 4d. He wished to refresh the right hon. Baronet's memory on these points. And then as to the constitutional question, he should again beg to quote the right hon. Baronet, who said, first—

"I think that circumstances may occur, in which the admission of foreign corn may tend to reduce the poor-rates;"

and then the right hon. Baronet added—

"I have no doubt that if we were now to separate, and a case should arise to render the introduction of foreign grain a matter of necessity, Ministers would be threatened with an impeachment, and every word used against the Government of 1766 would be triumphantly thrown in our teeth."

He repeated the words of the right hon. Baronet, and he said, that the power ought to be exercised by the Government to prevent a public calamity. He gave his support to the motion of the hon. Member for Aberdeen.

Mr. Wallace observed, that it had been most distinctly proved that very great distress prevailed. Distress, he said, to such an extent, and so great, that it was sufficient to alarm the Government. The Parliament was omnipotent to protect the people, and he thought that they should tell the advisers of her Majesty to let her Majesty know the situation to which her subjects had been reduced. He must say, seeing the situation in which the country was, he hoped that the Corn-law would be again mooted this year in the House, and if it were not so, he was ready to re-

sort to any measure which would compel the Ministry, for the want of supplies, to take the proper means to protect the people from starvation, as he believed they were exposed to it under the present law. He referred to the number of public works, and the money expended on them, to show how easily the people may be provided for by other means than those of mere charity.

Mr. J. Parker said, that in 1826, when a proposition was made to dispense with the customs laws, and to admit corn at a low price for the purpose of relieving the distresses of the people, it was supported by the party to which the right hon. Baronet belonged; but the difficulties of 1826, arising from the panic of 1825, were not to be compared with the difficulties of the present time. The evil of the Government Corn-law was, that it left our trade with America and other distant corn-growing countries open to all the uncertainty which had been objected to against the old law; but had the proposition of an 8s. fixed duty been adopted, it was his belief that those evils would have been avoided and our trade extended. He had attempted, unsuccessfully, to introduce a clause in the Government bill to meet the difficulty he complained of, though he felt that no course could be satisfactory which attempted to grapple with the perplexities and uncertainties of the sliding-scale. It was anticipated by many persons that an emergency might occur in the course of the ensuing autumn, and he, and those who supported this motion, were desirous of arming the Government with a power to enable them to meet it, and he felt that the knowledge on the part of the country that the Government had such a power would increase the public confidence, and tend to improve our trade and commerce.

Sir R. Peel: Sir, the proposition which has been made by the hon. Member for Aberdeen for vesting this discretionary power in her Majesty's Government rests mainly on two grounds:—the first ground is that of authority, and that authority is chiefly confined to the precedent of 1826; the second, and by much the more important ground, is that of reason and the public advantage. Now, it is quite clear that this second consideration constitutes the much stronger ground of argument on this question; but still reliance has been placed on the precedent of 1826, and it

has been applied to the present case, and therefore I think I am justified in recalling to the recollection of the House the real nature of that precedent and its bearing on the present subject of debate. In 1826, the then existing law, if I am not mistaken, prevented the importation of foreign wheat unless the average price in this country had attained 80s. I think that was the amount. Now, the Government of that day had to consider whether they would submit to Parliament an alteration of the existing law, which was admitted on all hands to be desirable,—no, I will not say on all hands, but this I may say, that there was then a general opinion in the country that the law which prevented the importation of corn till it reached a price of 80s. was a law which required revision. In that year—I mean the year 1826—the Government did not think it advisable to submit any proposition to Parliament which had for its object an alteration in the Corn-laws; but they still felt it would not be unsuited to the circumstances of the country if they proposed that the executive Government should be invested with a discretionary power of admitting foreign wheat for one year at a duty of 12s. per quarter. To some extent I admit that the limitation as to duty could not strictly be considered as confined to a 12s. duty, although it cannot be denied that that was to be the amount of duty payable on any quantity imported above 500,000 quarters in any one year. The state of the law was this—there was a limitation as to quantity, but there was no limitation as to the duties payable on that quantity; for 500,000 quarters of wheat might be introduced at any duty which the Government thought proper to impose. Now, what were the observations of Mr. Canning on that occasion? He said, that there was then in the distressed districts a large quantity of corn in bond which would not be brought into immediate consumption; and he further remarked that on a late occasion the Government had decided that no alteration should be made in the Corn-laws. In addition to this, he said that months might elapse (he might perhaps have been more accurate if he had said several weeks might elapse) during a very critical period of the year, and Parliament be not sitting at the time. That circumstance alone, Mr. Canning held, would justify the precaution which, in the year

1826, was proposed by the Government for the adoption of Parliament. The House will observe that the circumstances under which this precaution was taken were very peculiar. A critical period of the year was at hand; it was apprehended that at that moment Parliament would not be sitting; and it was known that there was no sufficient quantity of corn in the country out of bond. I trust I need say nothing more to show that the circumstances in which the country was placed in the year 1826 differed very materially from those in which we now stand in the year 1842. What took place after the arrangement made in the year 1826? So sensible was Mr. Canning of the extreme inexpediency of investing the executive Government with a power so embarrassing and a responsibility so great, that in the very next year he proposed to relieve them from the painful trust, which nothing but the urgent circumstances of the preceding season could at all justify. The sliding-scale was introduced by Mr. Huskisson and Mr. Canning. By the introduction of that principle you dispensed with the necessity of investing Government with a power so great, and, generally speaking, so inexpedient. The fact was undeniable, that the objects of the acts of 1827 and 1828 were for the purpose of avoiding the necessity which you now say exists. I do not mean to rely much on the supposed constitutional power; but this I will say, that if unforeseen circumstances should arise, there is no Government likely to be intrusted with the administration of affairs in this country which will be wanting in the courage to take the power requisite for saving the country, rather than incur the peril of exposing it to any deficiency of food. On the whole, then, I am sure the House will agree with me that it is much better to trust the Government on their own responsibility to exercise this extreme power rather than provide beforehand for an exigency which might not arise. Having thus disposed of the question of precedent, I come to the far more important consideration of the public weal—to the expediency and the reason of the thing. There is hardly any circumstance in which the condition of the country in 1826 does not differ from the condition in which we are placed in 1842. In the former year the responsible advisers of the Crown did not call for any interference with the Corn-laws. In 1842 her Ma-

esty's Government felt it to be their duty to refer the Corn-laws to the consideration and decision of the Legislature. They proposed a material change in those laws, and that change received the sanction of Parliament. We now have a new Corn-law, determining the amount of the duty, and yet two months after that you propose to give the Government the power of altering that rate of duty. Now, I object to introducing this new principle into the Corn-laws. What is it that you propose to do? You propose to give greater security by investing the Government with the power of altering the rate of duty as they please. I can understand a repeal of the law, but if you do this, how can you notify to foreign countries what the law is to be? You first pass a law, and then you throw the whole subject into utter uncertainty. How will this operate upon foreign countries? If you make this proposed change in the law, you do that which will be exclusively beneficial to those countries which are our nearest neighbours. The news of any change effected by the executive Government would reach America in four or five weeks; but during those weeks Holland and the adjoining countries would pour in an indefinite supply, and America would be excluded from the opportunity of administering to our wants. The whole effect of the arrangement would, therefore, be most unfair towards those countries which are placed at a distance from England. I object to the proposition, not only on the grounds I have stated, but on this ground also, that it would carry with it a degree of uncertainty which would operate most unfairly in those quarters in which it was intended to give a decided advantage. If a measure of this kind were to receive the sanction of Parliament its immediate effect will be to hold out inducements to the proprietors of bonded corn to withhold that corn from the market. What does the House say to a proposition for enabling the Privy Council during the sitting of Parliament to alter the votes of both Houses, and determine the price at which foreign corn is to be admitted? I want to know at what price it is that Government is to admit foreign corn? [An hon. Member: "Corn ought to be admitted now."] If corn ought to be admitted now, why leave any discretionary power on the subject to the Privy Council? Why not at once propose to Parliament that which you wish to sanction as

a proceeding of the Government? Why not at once submit to Parliament a proposition for admitting corn at a 1s. duty? Whether you have a fixed duty or no duty at all, it is impossible for you to prevent speculation. That applies to all articles, whether admitted duty free or at a fixed duty, namely, that if parties foresee that there is a probability of a rise in price, they will withhold their corn from the markets for the purpose of realizing greater profit. At the same time I admit that a varying rate of duty has a tendency to increase speculation. Under all times and circumstances there must be a disposition, arising from a probability of a rise in price, to keep back the article from the market. Now, what is the present state of the case, according to the returns of the averages recently made? The following is the result of the average prices to the 23rd of June. In this return is given the quantity of wheat imported and the quantity taken out for home consumption. In that week there was a tendency in prices to rise, and the averages were rather on the increase; and I heard you say, with respect to the former law, there was no instance of corn being taken out of bond for foreign consumption when there was a tendency in prices to rise. In the last week there was an apparent tendency of that kind, and the quantity of foreign wheat imported during the week ending the 30th of June, 1842, was 68,481 quarters, and the quantity of corn entered for home consumption in the week was 25,756 quarters. I do not mean to say that that was a very large quantity of corn, but that quantity was taken out in the face of a rise of prices, and the duty paid was 10s. a quarter. ["Hear."] Now, don't be too confident; I won't fall into that error; I won't undertake to say what the operation of the law will be under the experience of seven weeks only; but don't be too confident in your predictions that corn will be retained in bond till the 1s. duty shall arise. In my opinion those who entered it, if they thought that, not only made a great mistake, but also run a great risk. The rate of duty now is 9s. a quarter. A proposition was made by the late Government for a fixed duty of 8s. upon the importation of corn; the present rate of duty is 9s. If, according to the existing law, that rate of duty shall diminish on account of the increase of price, corn would become admissible without any act

of interference on the part of her Majesty's Government. If you had applied a fixed duty of 8s. there would be more reason in the proposition of the hon. Gentleman. The whole amount of the difference in the amount of duty in the present week is 1s., 9s. being the amount of duty, and 8s. being the proposition of the late Government. No proposition was made for the purpose of enabling the Government to reduce the duty last year. That was considered to be most objectionable when there was no prospect by the operation of the law of insuring the admission of corn at a low rate of duty. The intervention of the Privy Council in a matter of this nature was felt to be so objectionable that no provision was made for a remission of the duty. That was the argument held by many hon. Gentlemen on the other side of the House. They argued that when prices were high in this country they would insure the importation of foreign Corn, and then foreign Corn could afford to pay the duty—that, provided you have high prices of 70s., there was no reason why a duty of 8s. should not be paid. I have heard speech after speech, and read pamphlet after pamphlet, tending to show that there was no necessity for the interference of the Privy Council, because when prices were high a certain amount of duty would be paid; and it was also said that the remission of the duty would be no benefit whatever to the consumer; the price of corn would immediately rise as the duty was limited, and the whole benefit would go into the pocket of the importer. What is now the proposition? There is a prospect of realizing an 8s. duty, and a tolerable prospect also of realizing a 6s. duty on foreign corn. It is said that there are 1,400,000 quarters in bond; suppose they are admitted at 7s., you will realize about 400,000*l.* or 500,000*l.* of revenue, as you contended, without the least injury to the consumer. As you contended, the remission of duty would put so much money into the pockets of the importers, and there would be no benefit to the consumer. If you give this power corn will be held back in the hope that such a degree of pressure may arise that Government will give way, and the ordinary operations of commerce will be disturbed; but if Government give way you will lose the amount of duty which, upon your own showing, you might realize without any

disadvantage. What does the hon. Gentleman the Member for Greenock tell us? He says, that he thinks, from the state of the weather, and the mixture of genial rain and sunshine, there is a prospect of an early harvest in the country. I wish his expectations may be realized. The hon. Gentleman has told us that he has made extensive inquiries, and he is fully confident that there will be an early harvest—so early, indeed, that, to use his own words, the sickle will be amongst the wheat in the middle of July. Well, what effect will that prospect have upon the holder of foreign corn if you now step in and induce him by this power to hope that the Government would be compelled to exercise that power, and admit the corn he has brought here upon a much lower rate of duty? What confidence can foreign countries have in our commercial arrangements, if after this adjustment by Parliament of the Corn-laws, we, within two months of that adjustment, say that it is to be set aside, and not to be acted upon as law, but that there is to be a discretion given to the Privy Council to act as they please in that matter? I have attempted to argue this question much more upon the grounds of reason and public advantage than upon the authority of precedent; if this power be exercised by the Privy Council it is impossible to deny that it is a most dangerous power, and that it cannot be exercised without difficulty. Those foreign countries you wish to favour most will be less benefitted by it, because the moment it is notified that corn will be admitted at a 2s. duty the neighbouring countries will be the first to take advantage of it, and those more distant will be thus kept out of the market. Above all, consider the possible effect of disturbing all the commercial transactions undertaken under the law—consider the probable effect of your promoting by your interference that outlet of corn which if you don't interfere might take place, and which might have the effect of lowering prices and increasing the means of subsistence; also don't throw out of consideration the probable and needless loss to the revenue—the sacrifice of that revenue which will be paid, and cheerfully paid, if you permit the law to remain as it is. I do trust that these combined considerations will induce the House to come to the conclusion that it is not for the public advantage to take from the law the

certainty of its operation, and to invest her Majesty's Government with responsibility most difficult for them to exercise, and most dangerous in its exercise, from the risk which you incur not only of losing revenue, but of postponing the period at which natural supplies were to be expected.

Viscount *Howick* said, the right hon. Baronet had professed to argue this question upon reason and public advantage, and on both grounds had failed to make out his case. It was perfectly true that there were not many minute coincidences in the details of the circumstances of this year and the year 1826. In fiscal matters it was very seldom the case that two years were exactly alike; but he contended that the broad principle was the same in both cases. In 1826 the country was suffering under extreme distress; and it was felt that the state of the Corn-laws then prevented the application of that relief which otherwise would have been available. He thought, in the intensity of the existing distress, and the impossibility which there was of any reduction in the price of corn, that there was justification for attempting what he believed would afford some mitigation of the present suffering. He did not think, as stated by the right hon. Baronet, that the necessary operation of the resolution proposed by his hon. Friend would be to increase the uncertainty in the price of corn. The operation of the resolution would be, to prevent the duties rising beyond a certain amount for a definite time. He thought it a mistake to say that distant markets would not obtain the advantage of this. At this moment the importation of corn from distant markets was prevented by this circumstance—that though the duty on foreign corn was now only 9s., it was very possible that large importations from various markets, or abundant harvests of our own, might make the averages fall before cargoes from America or Odessa could arrive, and with that fall there might be a corresponding increase in the duty; and therefore the distant speculators were prevented from coming into the market. The effect of this was completely to prevent the shipments of corn from distant markets to this country. The right hon. Baronet talked of the probability of foreign corn being admitted at a 6s. duty; but what was the advantage of that to the consumer? The advantage was entirely to the growers of corn in Poland;

it gave them the monopoly of the market, and excluded the competition of the distant grower. The duty might go down to 6s., or fall to 1s., but it would not be to the advantage of the consumer, but of those holding this corn. If the principle of the resolution were admitted, it was competent for the House to declare that no higher duty than 6s. or 8s. should be imposed. If they decided on that, they would give confidence to the market, and thereby cause a demand for labour, and relieve our distressed manufacturers. In the present state of the distress of the country, those Gentlemen who were in favour of the existing Corn-law ought, above all others, to concur in this motion, because their apprehension was, that if a permanent fixed duty were established, so much new land would be brought into cultivation abroad, that it would inflict great injury on our British agriculture; and they therefore refused to give their sanction to a fixed duty. He did not think the argument of the hon. Baronet, used to prove that the existing law was not productive of the evil, conclusive. The right hon. Baronet had told them, with an air of considerable triumph, that 25,000 quarters of corn had been entered for home consumption during the last week; but this was only out of 1,500,000 quarters in bond. He did not pretend that the measure of his hon. Friend the Member for Aberdeen was free from objections; but these objections arose not from the measure itself, but from the nature of the permanent law they had passed. As they had passed that law, and it was not likely that Parliament would consent at this moment to repeal it, he, for one, as the most likely mitigation of the evils of that law, would support the motion of his hon. Friend.

Mr. C. Buller would just observe, that the stupendous quantity of corn which the right hon. Baronet stated had, in one particular week, been taken out of bond and entered for home consumption, namely, 25,000 quarters, was just half a day's consumption for the whole country.

Lord J. Russell remarked that the right hon. Baronet had admitted that the law, as it at present stood, had increased speculation and variation in prices, an additional argument against the right hon. Baronet's Corn-law. The right hon. Baronet further had contended that they were not to judge of the effects of the new law from

seven weeks' experience; but let the House bear in mind it was not the experience of seven weeks that was the question, but the experience of the sliding-scale, that had been pointed out to Gentlemen opposite over and over again when the measure was passing. Every discussion that had taken place, directly or incidentally, on the Corn-laws, showed the false principles on which Government had proceeded in legislating on the subject, and he must confess that he was somewhat pleased that, in arguing this question, the right hon. Baronet had been obliged to testify to many of those principles which had been urged from that side of the House. As to the proposition now made, he must confess he could not sanction it, because it would be placing in the hands of the executive Government the entire distribution of the food to the country. His opinion was, that the law which had just been made ought to be repealed, and replaced by an entirely different one; and he did not see that the present proposition would at all act as a useful alteration of that law. If an emergency arose during the recess, no doubt the Government would be ready to assume the responsibility of advising her Majesty to take the necessary steps for meeting that emergency, relying upon Parliament to sanction the proceedings which necessity had compelled them to adopt.

Mr. Hume should support the motion, because, as matters stood, he saw no chance of obtaining anything better this Session. He would tell the right hon. Baronet that since his Corn-bill had passed, the distress of the country had been doubled, and he was convinced that nothing could stay the starvation that was spreading throughout the country but opening the ports for the importation of corn free of duty. He regretted that the noble Lord the Member for the city of London did not support the motion, for he was satisfied that it was the only mode of sympathising with the people.

The House divided:—Ayes 113; Noes 175: Majority 62.

#### List of the AYES.

Acheson, Visct.	Bernal, Capt.
Aglionby, H. A.	Bowring, Dr.
Ainsworth, P.	Brocklehurst, J.
Aldam, W.	Brotherton, J.
Barnard, E. G.	Buller, C.
Berkeley, hon. Capt.	Buller, E.
Bernal, R.	Bushfield, W.

Byng, G.	Leader, J. T.	Cardwell, E.	Jackson, J. D.
Byng, rt. hon. G. S.	Macaulay, rt. hn. T. B.	Chapman, A.	Jermyn, Earl
Callaghan, D.	Mangles, R. D.	Chelsea, Visct.	Johnstone, Sir J.
Carew, hon. R. S.	Marshall, W.	Chetwode, Sir J.	Jolliffe, Sir W. G. H.
Cave, hon. R. O.	Marsland, H.	Christopher, R. A.	Jones, Capt.
Cavendish, hon. C. C.	Milnes, R. M.	Clayton, R. R.	Kemble, H.
Cavendish, hon. G. H.	Morris, D.	Clerk, Sir G.	Knightley, Sir C.
Chapman, B.	Morison, Gen.	Cockburn, rt. hn. Sir G.	Lascelles, hon. W. S.
Childers, J. W.	Muntz, G. F.	Codrington, C. W.	Law, hon. C. E.
Cobden, R.	Napier, Sir C.	Corry, rt. hn. H.	Lawson, A.
Colebrooke, Sir T. E.	O'Brien, J.	Courtenay, Lord	Lefroy, A.
Craig, W. G.	O'Connell, M. J.	Cresswell, B.	Legh, G. C.
Crawford, W. S.	O'Connell, J.	Cripps, W.	Leicester, Earl of
Divett, E.	Ogle, S. C. H.	Damer, hon. Col.	Liddell, hon. H. T.
Duncan, G.	Ord, W.	Darby, G.	Lincoln, Earl of
Duncombe, T.	Paget, Col.	Dawnay, hon. W. H.	Litton, E.
Dundas, Adm.	Parker, J.	Denison, E. B.	Lockhart, W.
Dundas, D.	Pechell, Capt.	Dickinson, F. H.	Lowther, J. H.
Easthope, Sir J.	Philips, G. R.	Douglas, Sir H.	Lowther, hon. Col.
Ebrington, Visct.	Philips, M.	Douglas, Sir C. E.	Lyall, G.
Ellice, rt. hon. E.	Phillipotts, J.	Douglas, J. D. S.	Lygon, hon. Gen.
Ellis, W.	Plumridge, Capt.	Duffield, T.	Mackenzie, T.
Elphinstone, H.	Pryse, P.	Duncombe, hon. A.	Mackenzie, W. F.
Evans, W.	Rice, E. R.	Eaton, R. J.	Mainwaring, T.
Ewart, W.	Ricardo, J. L.	Egerton, W. T.	Manners, Lord C. S.
Ferguson, Col.	Scholefield, J.	Eliot, Lord	March, Earl of
Fielden, J.	Seale, Sir J. H.	Escott, B.	Marsham, Visct.
Fitzroy, Lord C.	Smith, B.	Farnham, E. B.	Masterman, J.
Forster, M.	Somerville, Sir W. M.	Ferguson, Sir R. A.	Meynell, Capt.
Fox, C. R.	Stansfield, W. R. C.	Fielden, W.	Miles, P. W. S.
Gibson, T. M.	Stewart, P. M.	Ferrand, W. B.	Mitchell, T. A.
Gill, T.	Stuart, Lord J.	Flower, Sir J.	Morgan, O.
Gordon, Lord F.	Strutt, E.	Forbes, W.	Mundy, E. M.
Gore, hon. R.	Tancred, H. W.	Fuller, A. E.	Need, J.
Grey, rt. hon. Sir G.	Thornely, T.	Gaskell, J. M.	Neoreys, Lord
Hall, Sir B.	Towneley, J.	Gladstone, rt. hn. W. E.	Packe, C. W.
Hastie, A.	Troubridge, Sir E. T.	Gladstone, T.	Pakington, J. S.
Hawes, B.	Tufnell, H.	Gordon, hon. Capt.	Palmer, R.
Heathcoat, J.	Turner, E.	Gore, M.	Patten, J. W.
Hill, Lord M.	Walker, R.	Gore, W. O.	Peel, rt. hon. Sir R.
Hindley, C.	Wallace, R.	Goring, C.	Peel, J.
Holland, R.	Watson, W. H.	Goulburn, rt. hon. H.	Phillips, Sir R. B. P.
Howard, P. H.	Wawn, J. T.	Graham, rt. hon. Sir J.	Pigot, Sir R.
Howick, Visct.	Williams, W.	Granby, Marquis of	Pollington, Visct.
Hume, J.	Wood, B.	Greenall, P.	Pollock, Sir F.
Hutt, W.	Wood, C.	Greene, T.	Pringle, A.
James, W.	Wood, G. W.	Grimsditch, T.	Pusey, P.
Johnson, Gen.	Yorke, H. R.	Grimston, Visct.	Rashleigh, W.
Langston, J. H.	TELLERS.	Grogan, E.	Reid, Sir J. R.
Langton, W. G.	Bannerman, A.	Halford, H.	Rolleston, Col.
Layard, Capt.	Ward, H. G.	Hamilton, W. J.	Rushbrooke, Col.

*List of the NOES.*

Acland, Sir T. D.	Bennett, J.
A'Court, Capt.	Bentinck, Lord G.
Antrobus, E.	Berkeley, hon. G. F.
Arbuthnott, hon. H.	Blackburne, J. I.
Archdall, Capt.	Blakemore, R.
Arkwright, G.	Boldero, H. G.
Bagot, hon. W.	Botfield, B.
Bailey, J., jun.	Bramston, T. W.
Baillie, Col.	Brodie, W. B.
Baillie, H. J.	Bruce, Lord E.
Baring, hon. W. B.	Buck, L. W.
Barrington, Visct.	Buckley, E.
Bateson, R.	Buller, Sir J. Y.
	Cardwell, E.
	Chapman, A.
	Chelsea, Visct.
	Chetwode, Sir J.
	Christopher, R. A.
	Clayton, R. R.
	Clerk, Sir G.
	Cockburn, rt. hn. Sir G.
	Codrington, C. W.
	Corry, rt. hn. H.
	Courtenay, Lord
	Cresswell, B.
	Cripps, W.
	Damer, hon. Col.
	Darby, G.
	Dawnay, hon. W. H.
	Denison, E. B.
	Dickinson, F. H.
	Douglas, Sir H.
	Douglas, Sir C. E.
	Douglas, J. D. S.
	Duffield, T.
	Duncombe, hon. A.
	Eaton, R. J.
	Egerton, W. T.
	Eliot, Lord
	Escott, B.
	Farnham, E. B.
	Ferguson, Sir R. A.
	Fielden, W.
	Ferrand, W. B.
	Flower, Sir J.
	Forbes, W.
	Fuller, A. E.
	Gaskell, J. M.
	Gladstone, rt. hn. W. E.
	Gladstone, T.
	Gordon, hon. Capt.
	Gore, M.
	Gore, W. O.
	Goring, C.
	Goulburn, rt. hon. H.
	Graham, rt. hon. Sir J.
	Granby, Marquis of
	Greenall, P.
	Greene, T.
	Grimsditch, T.
	Grimston, Visct.
	Grogan, E.
	Halford, H.
	Hamilton, W. J.
	Hamilton, Lord C.
	Harcourt, G. G.
	Hardinge, rt. hn. Sir H.
	Hardy, J.
	Heathcote, G. J.
	Heneage, E.
	Henley, J. W.
	Herbert, hon. S.
	Hervey, Lord A.
	Hodgson, F.
	Hodgson, R.
	Hogg, J. W.
	Hope, hon. C.
	Hornby, J.
	Hughes, W. B.
	Hussey, T.
	Jackson, J. D.
	Jermyn, Earl
	Johnstone, Sir J.
	Jolliffe, Sir W. G. H.
	Jones, Capt.
	Kemble, H.
	Knightley, Sir C.
	Lascelles, hon. W. S.
	Law, hon. C. E.
	Lawson, A.
	Lefroy, A.
	Legh, G. C.
	Leicester, Earl of
	Liddell, hon. H. T.
	Lincoln, Earl of
	Litton, E.
	Lockhart, W.
	Lowther, J. H.
	Lowther, hon. Col.
	Lyall, G.
	Lygon, hon. Gen.
	Mackenzie, T.
	Mackenzie, W. F.
	Mainwaring, T.
	Manners, Lord C. S.
	March, Earl of
	Marsham, Visct.
	Masterman, J.
	Meynell, Capt.
	Miles, P. W. S.
	Mitchell, T. A.
	Morgan, O.
	Mundy, E. M.
	Need, J.
	Neoreys, Lord
	Packe, C. W.
	Pakington, J. S.
	Palmer, R.
	Patten, J. W.
	Peel, rt. hon. Sir R.
	Peel, J.
	Phillips, Sir R. B. P.
	Pigot, Sir R.
	Pollington, Visct.
	Pollock, Sir F.
	Pringle, A.
	Pusey, P.
	Rashleigh, W.
	Reid, Sir J. R.
	Rolleston, Col.
	Rushbrooke, Col.
	Russell, Lord J.
	Sandon, Visct.
	Scarlett, hon. R. C.
	Scott, hon. F.
	Seymour, Sir H. B.
	Shaw, rt. hon. F.
	Sibthorp, Col.
	Smith, A.
	Somerset, Lord G.
	Stanley, Lord
	Stewart, J.
	Stuart, H.
	Sutton, hon. H. M.
	Talbot, C. R. M.
	Thesiger, F.
	Thompson, Ald.



Tomline G.	Wodehouse, E.
Trench, Sir F. W.	Wood, Col. T.
Trevor, hon. G. R.	Worsley, Lord
Trollope, Sir J.	Wynn, Sir W. W.
Trotter, J.	Yorke, hon E. T.
Verner, Col.	Young, J.
Vesey, hon. T.	
Waddington, H. S.	TELLERS.
Walsh, Sir J. B.	Freemantle, Sir T.
Wilbraham, hn. R. B.	Baring, H.

FLAG OFFICERS.] Mr. Hume moved for returns—

"Showing the services of all Flag Officers in the navy, distinguishing the date of entry of each officer into the service, and the several commissions which they have obtained, distinguishing the period passed in commission in their respective ranks, and the total period on full and half pay: and showing also the period when each was last employed, and the age of each officer at the present time (in continuation of the returns in the report of the Commission of Naval Inquiry in 1840, No. 11, of appendix of that report, and also in continuation of p.p. 251, of 1837.)"

He believed that there was no objection to the motion, as the returns that he called for were only a continuance of those granted on previous occasions.

Mr. Sidney Herbert objected to the motion on the ground that the production of the returns would have an injurious effect on the public service. The returns could only be produced by resorting to objectionable and inquisitorial proceedings.

Mr. Hume said, that the object which he had in view was to show that the promotions in the navy had been disproportionate to the extent of service. If the hon. Gentleman objected to give the returns in consequence of any expense, he could only say that he would send a clerk down to the Admiralty, at his own expense, to copy them out. He knew where they were to be obtained, and they could be produced in a few hours.

Sir G. Cockburn said, that the production of the returns would cause the greatest inconvenience at the Admiralty at present. He had particularly wished, in the course of the day, to have some documents prepared, and he found that all the clerks at the Admiralty were engaged in making out the returns for a motion of the hon. Member for Montrose. He should oppose the motion of the hon. Member, unless he could show that the production of the returns was a matter of importance to the country.

Sir C. Napier regretted, that the returns

had been refused, for he thought that it would be advantageous to the House and the country to have the fullest returns on this subject. He believed that if they were produced, that so far from showing that the promotions had been extravagant, it would appear to be quite the contrary. It was most injurious to the interest of the service that so many officers should remain stationary at the rank of captain. A more rapid system of promotion was absolutely necessary for the interest of the service. No doubt a great many promotions had been made during the last three years, but no doubt that could be satisfactorily accounted for.

Captain Pechell believed if the returns were refused, that the public would think that there was something to screen, which the Admiralty wished to keep from the public.

Mr. C. Wood corroborated the statement of the Secretary of the Admiralty that the returns moved for frequently impeded the course of public business, and as no ground had been shown for this return, he did not think it ought to be granted.

Mr. Brotherton said, it was not right to debate such a question at so late an hour (a quarter past two), and he should therefore move the adjournment.

The House divided:—Ayes 21; Noes 71; Majority 50.

#### List of the AYES.

Bowring, Dr.	Plumridge, Capt.
Childers, J. W.	Scholefield, J.
Duncan, G.	Stuart, Lord J.
Dundas, Adm.	Thornely, T.
Ewart, W.	Tufnell, H.
Forster, M.	Turner, E.
Gill, T.	Wallace, R.
Hindley, C.	Wawn, J. T.
Hume, J.	Wood, B.
Napier, Sir C.	TELLERS.
O'Connell, J.	Brotherton, J.
Pechell, Capt.	Cobden, R.

#### List of the NOES.

Aglionby, H. A.	Courtenay, Lord
Antrobus, E.	Cripps, W.
Arkwright, G.	Darby, G.
Bailey, J., jun.	Denison, E. B.
Bentinck, Lord G.	Douglas, Sir C. E.
Boldero, H. G.	Dundas, D.
Buller, Sir J. Y.	Ebrington, Visct.
Chelsea, Visct.	Eliot, Lord
Christopher, R. A.	Escott, B.
Clerk, Sir G.	Evans, W.
Cockburn, rt. hn. Sir G.	Fuller, A. R.
Corry, rt. hon. H.	Gaskell, J. Milnes

Gladstone, rt.hn. W. E. Morgan, O.  
 Gladstone, T. Mundy, E. M.  
 Gordon, hon. Capt. Muntz, G. F.  
 Goulburn, rt. hn. H. O'Connell, M. J.  
 Graham, rt. hn. Sir J. Packe, C. W.  
 Greene, T. Peel, rt. hon. Sir R.  
 Grimston, Visct. Peel, J.  
 Grogan, E. Pringle, A.  
 Hamilton, W. J. Pusey, P.  
 Hardinge, rt.hn. Sir H. Rushbrooke, Col.  
 Hardy, J. Scott, hon. F.  
 Henley, J. W. Somerville, Sir W. M.  
 Herbert, hon. S. Stanley, Lord  
 Howard, P. H. Stuart, H.  
 Hughes, W. B. Sutton, hon. H. M.  
 Hussey, T. Trotter, J.  
 Jackson, J. D. Vesey, hon. T.  
 Layard, Capt. Waddington, H. S.  
 Legh, G. C. Wilbraham, hon. R. B.  
 Lincoln, Earl of Wood, C.  
 Litton, E. Yorke, H. R.  
 Lockhart, W. Young, J.  
 Mackenzie, W. F. TELLERS.  
 Marsham, Visct. Fremantle, Sir C.  
 Milnes, R. M. Baring, H.

On the original question being again put, a motion was made to adjourn the debate, which was accordingly adjourned till the following Monday.

House adjourned at a quarter past three o'clock.

## HOUSE OF LORDS,

Friday, July 8, 1842.

MINUTES.] *BILLS. Public.*—1<sup>st</sup> Perth Prison; Charitable Pawn Offices (Ireland); District Courts and Prisons; Primrose Hill.

2<sup>nd</sup> Stock in Trade; Railways; British Possessions Abroad.

3<sup>rd</sup> and passed:—Customs' Acts.

*Private.*—Reported.—Milton's Estate; Crawford's Estate; Leeds Burial Ground.

3<sup>rd</sup> and passed:—Leeds Improvement; Ross and Cromarty Court House; Blackburn and Chorley Road; Toxteth Park Paving and Sewerage (No. 2).

PETITIONS PRESENTED. By the Bishop of Norwich, from Coal Miners of Huddersfield, Horbury, Almondbury, Gland, Lofthouse; by Earl Stanhope, from Kirkbeaston, Alverthorp, Stanley, Wentworth, and Eileas, in Favour of the Mines and Collieries Bill. —By Lord Strathfield, from the Masters of Adwalter Colliery; by Lord Montagu, Lord Denman, and the Earl of Cardigan, from several Colliery Owners, against part of the Bill, and Praying for Inquiry.—By the Earl of Mountcashell, from York, St. John's and St. Andrew's, New Brunswick, against any Alteration of the Duty on Wood Goods.—By the Lord Chancellor, from Merchants, Bankers, and Traders of London, for the Amendment of the Law respecting Debtor and Creditor.—From the Bakers of Belfast, for the Better Regulation of their Trade.—From the Royal Burgh of Rothsay, and the Parish of Echt, in the county of Aberdeen, for the Repeal of the Law of Patronage.—By Earl Stanhope, from the Inhabitants of London, complaining that the Provisions of the Anatomy Act have not been carried out, and for Inquiry; and from Prisoners in the Queen's Bench Prison, for the Alteration of certain Parts of the Queen's Prison Act.—From the Widow of Sir Samuel Bentham, to be heard against the National Floating Dockwater Company Bill.—From John Well-

worth, of Manchester, to be heard against the Imperial Bank of England Bill.—By Earl Stanhope, from Rational Socialists, for Inquiry into the System.

[MINES AND COLLIERIES.] The Bishop of *Norwich* presented eight petitions from miners and others employed in collieries and mines in the neighbourhood of Wentwick and other places. Those petitions were very numerously signed. They were got up by the workmen themselves, and spoke in their own simple yet forcible language: the sense they entertained of the shameful, disgusting, and disgraceful scenes to which they were witnesses, from the employment of young females and boys of tender ages in the mines. The statements of the petitioners were fully borne out by the reports of the commissioners who had examined the state of the persons employed in pits. The wretched condition of the people in the pits where women were employed, contrasted strongly with the better state of the people in pits in Ireland and in some places in England where no females and few young boys were employed. The petitioners prayed that a measure might be passed excluding all females and boys under thirteen years of age from employment in mines (one petition limited the age of employment of boys to ten years). He cordially concurred in the prayer of the petition, and hoped the measure which had been introduced on the subject would receive the sanction of their Lordships.

Lord *Hatherton* would not, on the presentation of a petition, enter into a subject which must come on for full discussion at a future day. He did not deny that the collieries of South Staffordshire had been very badly managed some thirty or thirty-five years ago; but it was now admitted on all hands that the complaints as to bad management did not now apply to them, for that a great improvement had taken place with respect to them all. When these improvements had been brought about without the aid of such restrictions as were proposed in the Mines and Collieries Bill, he thought it would be unjust to press it. Great excitement had arisen amongst the owners of Mines and Collieries in consequence of the very exaggerated and overcharged statements which had gone forth with respect to the condition of persons employed in them. Some of those statements he could contradict from his own knowledge. Many

of them were the most unjust, the most partial, which had ever been submitted to Parliament as the ground of any legislative measure. He thought that before any legislation took place on the subject, the masters, who had been infamously calumniated, ought to have an opportunity of bringing forward evidence.

The Duke of *Richmond* reminded their Lordships that by the 108th standing order it was provided, that any bill altering the regulations of any trade, or altering the law of apprenticeship, could not be read a second time unless it had been referred to a select committee to inquire as to the expediency or in expediency of the proposed change, and until the committee had reported to the House.

The Duke of *Wellington* said, that a great impression had been made upon his mind by a perusal of the volumes which had been printed and laid upon the Table. But he thought it desirable that their Lordships should examine a little into the mode in which the evidence had been taken. The noble Lord who, by virtue of his office, had appointed the commission, was not present; but he observed, on reading the report and the commission under which the report was framed, that a certain number of commissioners was appointed, with power to administer oaths and to examine on oath—that was, a certain number of them were so empowered by the words of the commission. At the same time, a certain number of sub-commissioners were appointed by the Secretary of State, and employed under this commission, and these sub-commissioners were the persons who had been employed to take this evidence. Now, it was a very different thing for evidence to be taken by persons appointed under the commission and by sub-commissioners, and therefore it was very desirable that the House should take this circumstance into its consideration before it appointed a select committee to consider this bill; and that it should decide whether or not it was desirable to inquire in what manner the evidence was taken under the powers of the commission, and what was the nature of the evidence; whether it was taken according to the terms of the commission; whether the commissioners examined the witnesses themselves, or had trusted to the report of the sub-commissioners. The measure involved important considerations, and he wished their Lordships might be

enabled to pass it; but he thought it desirable that they should know exactly how the matter stood, and he wished his noble Friend would defer the subject till the noble Lord who appointed the commission was present.

Lord *Brougham* wished their Lordships might be enabled to pass the bill this Session; but, unless great expedition were used, it could not be done. Some parts of the bill were not matters of controversy at all. Two courses were open—either to examine evidence before the select committee, or for the select committee to report (if so advised) in favour of their Lordships entertaining the bill; and then a question might arise whether, with reference to the mode in which the evidence had been taken by the commissioners, it would be more satisfactory to take the evidence themselves.

Viscount *Melbourne* said, the only question for the select committee was to consider whether the bill was fit to be read a second time, and he thought, as expedition was desirable, that a committee might be appointed now.

Select committee appointed.

CUSTOMS' ACTS—THE TARIFF.] The Earl of *Ripon* moved the third reading of the Customs' Bill.

The Earl of *Radnor* said, although he had voted for the second reading of the bill, he should say “not content,” as the bill in his opinion did not go far enough; it did many things it ought not to do, and omitted many things which ought to be done.

Their Lordships divided:—Contents 52; Not-Contents 9: Majority 43.

#### *List of the NOT-CONTENTS.*

DUKES.	
Richmond	Stanhope
Buckingham	Beaumont
LORDS.	
Cleveland	Kinnaird
EARLS.	
Radnor	Boston
	De Freyne

Bill passed.

#### *The following Protest was entered.*

##### DISSENTIENT.—

1. Because, fully admitting the necessity of a revision of the Customs' duties, and the soundness of the principles on which, in most respects, that revision is professed to have been made, I find that this bill carries out those principles very imperfectly, and falls lamentably short of what the necessities of the times require.

2. Because it expressly excepts from its operation the duties on the importation of corn, grain, meal or flour, sugar, and molasses, and omits all modification of the duties on butter and cheese imported from foreign countries, and thus will fail to afford, with respect to these essential articles, any alleviation to the present sufferings of the people.

3. Because, in consequence of these omissions, the distress of many persons, who will be thrown out of employment by the alteration of the duties on certain manufactured articles, will be greatly increased.

4. Because I believe that by this bill no one differential duty, now existing, is removed; but I find several new ones imposed, and the difference in many old ones increased; and it was argued in debate, by Ministers, that the principle of differential duties as applied to colonies was a fair one, and admitted, by them, that the new schedule of duties imposed by this bill was in many respects framed in conformity with that opinion; whereas I hold all differential duties to be both inconsistent with every sound principle of financial legislation, (whether enacted for the purpose of revenue, or with the view of giving aid or showing favour to colonies or foreign states,) and injurious both to the state which imposes them, (as thus laying burdens on its own subjects, without any advantage to its exchequer, for the benefit of foreigners,) and to the country supposed to be favoured, by holding out to its people inducements to divert capital from its natural and therefore its most useful and profitable, to other less advantageous, employment

RADNOR.

KINNAIRD AND ROSSIE.

ANATOMY ACT.] Lord *Stanhope* presented a petition from certain inhabitants of London, complaining that the provisions of the Anatomy Act had not been complied with, and praying for inquiry. The noble Earl complained that no report had been yet presented to the House on this subject.

The Duke of *Wellington* said, it was hardly possible that the allegations in the petition could be true; and the petition, as the noble Earl would see, was not consistent with the act of Parliament. Persons had been appointed to inquire into the execution of the act by the former Government and by his right hon. Friend the present Secretary of State. He was not aware of the reason why a report from the first commissioners had not been made; but the report of the persons recently appointed was not at present in a state fit to present to Parliament; when it was, it should be laid before the House. He assured his noble Friend that it was the determination of the Government to

carry the law into effect. Comparing the words of the petition with others that had been presented by an individual to the other House of Parliament, he could not but consider that they originated in the complaints of Mr. Roberts in reference to an invention of Mr. Roberts, which those who had been appointed to investigate into it thought was not likely to answer the purpose expected from it by that gentleman and the petitioners.

Petition laid upon the Table.

Adjourned.

## HOUSE OF COMMONS,

*Friday, July 8, 1842.*

MINUTES.] BILLS. Public.—*1<sup>st</sup>*. Linen Manufactures (Ireland); Turnpike Acts Continuance.

Committed.—Fisheries Treaties; Prisons; Slave Trade Treaties.

*3<sup>d</sup>*. Municipal Corporations.

PETITIONS PRESENTED. By Mr. Sergeant Jackson, from Kilnagorry and Inchagoela, for Alteration of the System of Education (Ireland).—By Mr. T. Duncombe, from Wm. Holmes, for a Reform of the Reform Act; and from the Cobbett Club, against the Poor-law Amendment Act.—From Greenock, for a Repeal of the Duty on Oak Timber.—From Hineckley, for Inquiry into the Public Distress.

### COMMERCIAL TREATY WITH BRAZIL.]

Mr. *Forster* wished to put a question to the right hon. Baronet at the head of her Majesty's Government on the subject of our present commercial relations with Brazil. He was aware that questions on diplomatic matters ought not to be lightly put in that House, but there were cases in which he thought it necessary, and he considered this to be one of them. He was informed by parties interested in the trade that a difference of opinion existed between the two Governments as to the time when the present commercial treaty should expire, Brazil contending that the treaty expired in November next, and this Government contending that it did not expire till November, 1844. Under these circumstances great doubt and embarrassment hung over the operations of our trade with that country, which was our second best customer, taking from 5,000,000*l.* to 6,000,000*l.* of our manufactures annually. In the present position of this country it was of great importance that none of our usual channels of trade should be choked up, and it would, therefore, be very desirable if the right hon. Baronet could, consistent with his public duty, make any communication to the House which would place our commerce with Brazil on a more certain and satisfactory footing.

Sir R. Peel said, he was perfectly sensible of the importance of the subject to which the hon. Member had called his attention, and he was quite aware of the interest which it excited amongst those who were connected with the Brazilian trade. Still, it was very difficult to give a satisfactory answer when negotiations were pending between two powers on disputed points. For several years past there had been a difference between the government of Brazil and the Government of this country as to the operation of the existing commercial treaty. The Brazilian government contended that the treaty expired in November, 1842, while the British Government maintained that it did not expire till November, 1844. It was, therefore, deemed necessary that a new treaty should be negotiated in order to meet this difference. That Commercial Treaty had been under consideration for some time, and he was sure the hon. Member could not expect him to go further into the subject. He believed that some additional delay in bringing the proceedings to a close had taken place in Brazil. His impression, however, was, that the matter would speedily be settled. It was deemed expedient by this Government, in order to prevent any future dispute or difference of opinion, to enter into a new treaty.

Lord J. Russell wished to know whether, pending these proceedings between the government of Brazil and the Government of this country, the Brazilian government had made any formal or public notification or declaration to the Brazilian Chambers of their intention to make any alteration in the duties on British goods?

Sir R. Peel: No such notification has been made.

**DISTRESS OF THE COUNTRY.]** On the Order of the Day for resuming the adjourned debate on Mr. Wallace's motion,

Mr. O'Connell said, that if he thought in rising so early to address that House, he could influence their determination, he should be guilty of presumption and vanity. He knew well that he could not hope they would do any thing, when they had resolved upon doing nothing, but meant to repose in the hope that something better might occur hereafter. If he could hope to excite them to exertion, he might point to the present state of things as sufficient to arouse them—he could tell them that there was much peril in their present posi-

tion—he might warn them that the State itself was in danger—that evil was around them, and a still greater evil impending. There could be no doubt that distress pervaded England. He never knew such an unanimity to prevail upon any one subject as upon the allegation of general distress in England. Ireland, too, was suffering; but that, alas! was now nothing new. She was, however, suffering extremely at present. There were two sources from which sprung the misery of Ireland—one was in its nature temporary, but was constantly recurring; and the other was more permanent in its nature, and the relief not possible at present. To give relief, however, to Ireland, they must first have prosperity in England. The first species of distress in Ireland was the consequence of three bad harvests. They had an exceedingly short harvest last year. He had reason, however, to believe—to have the confident hope that the poor man's harvest this year was likely to be very abundant. That was information which he received from every quarter. Of course, he was sure that there was nothing that he could announce to the House that would give more general satisfaction. He feared, however, that a very contrary intimation must be given of the wheat and oats, which were of the greatest importance to Ireland. He wished it might not be so; but he was afraid there was great accuracy in the statements he had received conveying such intelligence. The other distress, which was more permanent in Ireland, was the distress of those engaged in all kinds of trade, and especially the retail dealers. The business of the shopkeepers was diminishing daily—their debts were decreasing—their profits disappearing, and their embarrassments continually extending. He did not see the possibility of this state of things being relieved unless he could find it in the common interest which Ireland had in the prosperity of this country. He had, then, a national interest in relieving the distress that now prevailed in England. To show the distress that prevailed in Ireland he should read an extract from an Irish newspaper. It was to the following effect:—

"It would appear from the Galway, Roscommon, and Tuam papers received yesterday, that the sufferings of the destitute have been but slightly, if at all, alleviated by the exertions of the local committees, and for the simple reason that the wealthy have neither

aided them by their personal influence, nor contributed in proportion to their means. The whole weight of the burden has, as usual, fallen on the middle classes—the small resident gentry, the shopkeepers, and farmers, have subscribed largely and generously towards the relief funds, but the absentee landlords have done nothing, or next to nothing, for the miserable wretches who are literally dying of hunger in the immediate vicinity of their castle gates. ‘The distress of the people,’ says the *Galway Vindicator* of Saturday, ‘is far from being abated. Throughout several districts of Mayo and this county the people are pining under an amount of suffering unprecedented in the annals of even Irish misery. The calamity is aggravated by the heartless brutality of grinding and oppressive landlords who have no bowels of compassion for the poor.’ That the people are in the condition described above is unfortunately too true. Famine is stalking over the land, and the calamity, as the *Galway* paper observes, is aggravated by the heartless brutality of the oppressor. On Saturday last a poor man came before Mr. Brew, the stipendiary magistrate at Tuam, and voluntarily made oath that neither he, his wife, or his two young children, had partaken of any description of food since the preceding Monday; in other words, that for five days and nights a whole family had been subjected to the most horrible torture which human nature can endure.”

There was nothing worse than that in this country, but still there was not the least doubt of the fearful extent of the distress here. Not a town was spoken of without a description of the distress which existed in it. The statistics of misery had been over and over again gone through. This had not been a question of relief—not of hopes of prosperity—not of anything like ordinary or temporary distress, but it was a question of what places were most deeply afflicted, what trade laboured under the greatest depression, what class of operatives were worst off, in which town was the greater number of families pining under the influence of want and despair? And this was the way in which this country was now spoken of—this great country, which had so long held its proud state, the first among the nations, the first in arts, in sciences, and arms; the first in commercial industry, acuteness, and in that mental power and vigour which had given its skill free scope and field; which had made it the “envy of surrounding nations and the admiration of the world.” What was its condition now? A condition of distress, of despair of people, of families famishing. He felt he could not depict, in language strong

enough for the occasion, the extent of surrounding misery. But were they safe in remaining thus? Was the social state safe in remaining thus? He had listened the other evening with the most profound attention to the speech of the right hon. Baronet, the Secretary for the Home Department. He had listened with equal attention to the speech of the right hon. Baronet at the head of the Ministry, and to that delivered by the noble Lord the Secretary for the Colonies. He had listened to them all with the utmost anxiety, to hear whether they held out any hope to the people; whether they held out any consideration to come between them and despair. The speech of the noble Lord was characteristic. It was a reply, and of course, an able one; but it had no more to do with the distress of the country, or the mode of relieving these distresses than it had with the late cabinet of Shah Soojah, or a convocation of mandarins at Canton. The noble Lord referred to a whole catalogue of causes, to which different people attributed the distress, and sorry was he to see a smile upon the faces of some hon. Members at the recital; but the noble Lord had given them no catalogue of means of relief; he had suggested no hopes—had held out no expectations of relief. The noble Lord had talked of the causes of distress; but the question was, the means of relieving that distress. On that head the noble Lord said nothing. The right hon. Baronet, the Secretary for the Home Department, likewise, had suggested no measure of relief. He had told them of the impropriety of using language in that House which would have the effect of exciting the people. But if hunger did not excite them, what signified language? Then came the right hon. Baronet at the head of the Government. And what did he say? The right hon. Baronet objected to the terms of the amendment with all his great ingenuity; but out of these objections, supposing the right hon. Baronet to have been triumphant, could he not have framed a resolution of his own, which the House might adopt. There could be no difficulty in getting ready the words, provided they got the things. But the right hon. Baronet had concluded by stating, that the quantity of cotton which had been entered for home manufacture this year was as great, if not greater, than the amount last year; that some mills

were about to be opened, and some founderies put in blast. But had any men ever held out a hope of the general distress being alleviated by these means. The right hon. Baronet's speech was a mere piece of mystification, not applicable to the question, and presenting no consolatory topics. His answer to the mystification was, that the people were starving. The right hon. Baronet boasted of his tariff as being superior in conception and extent to the proposed commercial plans of the late Government; he had entered into the details of the subject, but had they healed the evils in the land? His answer to the tariff argument again was, that the people were starving. He did not mean to speak of the right hon. Baronet's speech, or those of his Colleagues, with disrespect, but they contained no matter for hope—no suggestions thrown out with a view of producing even partial relief. And if the Government could not even give them hope, ought not they for the sake of the people to consent to an enquiry. The fact of the distress was undoubted. It was undoubted, too, that it was not a distress which had suddenly sprung up. It was certain that it had been approaching gradually, that, like the stealthy progress of the in-coming tide, it had been pursuing its gradual course, and, year after year, going on increasing more and more until it had now arrived at its acme, a deplorable and unendurable height. This they had on all hands admitted. And was it not most melancholy to think—was it not most deadening to hope, to look back upon the gradual approach of that misery, proceeding by degrees, and overwhelming everything which came in its way? Day after day more operatives were being discharged, and want was increasing. Nobody denied all this, and yet there were they sitting talking coolly upon the subject while the country was starving. He did not know, if it was a superstitious feeling, but he could not divest himself of the idea that there was something fatal—fearful, approaching. Why did he think so? It was from this. Did they forget that they were class legislators—did they forget that there was a landed class in this House—that there was also a class having great commercial wealth; and did they forget that the people knew it as well as they did? Did they forget that this House had been thronged with those who had ob-

tained their seats by means of the grossest bribery? Did they forget that it had been admitted that bribery had everywhere been admitted to have existed; and did they forget that the people believed that they owed their seats to the worst and foulest means. They all knew that the Anti-Corn-law League was at present holding sittings in London, and he supposed there was no man so insensible as not to read the speeches which were made there. [A laugh.] Aye, they laughed—they had not thought of doing so. That laugh with which his words had been greeted strengthened his impression of impending calamity, for could he entertain other feelings when he saw the misery of the people treated with ridicule and laughter. But he would read the following extract from one of the speeches delivered at the Anti-Corn-law League. It was this:—

“ Had not the working classes and the middle classes reason to speak with unqualified contempt of the House of Commons? Had it not been returned by gross bribery? Had they not all of them declared such to be the case in the House of Commons? Had not the aristocracy of England, and also the money-bag aristocracy, brought about that consummation? Had they not caused thousands of honest and independent minds, by threats and intimidation, to commit mental treason against their country; and would they not abominate that system that scared men into vassalage, and cursed them with slavery—that maddened them into lunatics, and drove them to acts of incendiarism, and if they did not die upon the scaffold they were sent to foreign lands, or else they were made paupers and buried as such.”

Was it not something new that language like this should be uttered—not by a constant agitator—not by one who made such pursuits his business, and was often therefore stigmatised as a demagogue—but that it should be uttered by industrious persons of the middle and wealthier orders, who, under the pressure of grievances, were driven to use language which, in their more calm moments, they would have avoided? Was not such a state of things pregnant with danger? The right hon. Baronet at the head of the Government had told them that in many towns and districts there were individuals who openly tried to excite the people to acts of violence. The right hon. Baronet had told them this, giving them, at the same time, the melancholy consolation that they possessed sufficient military power to put

down any sudden outbreak of violence. It was indeed true that they should be glad to hear that the social state had some means of protection. But was it not melancholy that there did exist in society materials of such an inflammatory nature that the destruction of property might soon commence as a sort of revenge for misery and distress, and that even in these suffering districts the people were not left to the mere incitement which hunger or their own bad passions might lead to acts of violence, but that there were persons among them instigating and urging them forwards. Those great proprietors—those who have lived a life of luxury and ease—did they not hear in the groans of the people a voice of prophecy, a threatening voice, warning them that their state was not secure, announcing to them the perils by which they were surrounded? Would they wait until manufactories were blazing and farm-steads on fire? With such a prospect would they stand still—would they do nothing for the people? Much of the fear of the forebodings which he felt was founded upon the insensibility which, in political subjects, existed among men naturally humane and generous. He was not accusing them of insensibility in their individual characters, but the more kindly and generous they usually were, the more astonished he was that this insensibility should sometimes prevail. Their not rousing themselves to put some bounds to the country's misery, stamped insensibility upon them. They (the Opposition) were often asked, what means of relieving the distress they would resort to. He would, at all events, make an experiment. The state of the country was such as to warrant them in trying any experiment from which they could hope to reap beneficial results. But there appeared to be a simple plan. The simplest housewife would adopt it. The people were hungry—let them eat. But they said there was no food. Let them tell him no such thing. There were at this moment upwards of 1,500,000 quarters of wheat lying in bond, waiting until prices became high enough for the landlord to allow the people to be fed. Let them take care, or a time might be at hand in which no rents would be forthcoming. If this was an ordinary time of distress he would not urge them to make the experiment; but they were in a woe state; the whole social state was in danger. Make the experiment, then. It

might injure the landholders, but it would hold out some prospect of relief. The people knew that food was within their reach. They knew that it was locked up from them, in order that one class amongst them might prosper. The monopolists, indeed, aid they continued the system for the benefit of all; but the people said they persevered in it for the benefit of themselves. The monopolists said that their object was the prosperity of all classes. The people's answer was, "You are prospering, but we are starving." And their complaint had the likeness of truth; nay it was true. That was the condition of the country; and he addressed the House with a solemn conviction that something terrible was in store if they did not rouse and exert themselves. Yet they stood rigid, immoveable, refusing to give relief. Let no man tell him that he had not proposed something definite—something practical. He had proposed a plan which, even if it failed, would enable them to say to the people, "Your distress is not our fault; as far as we can we have relieved your starvation." But they still persevered in refusing even to attempt this. If their minds were not made up upon the effects which the adoption of his plan would produce, let them inquire. Let them inquire into the bearing of its adoption upon the markets. That they could easily find out. He, therefore, in the name of the people, called on the Government to make the experiment. He did so with the conscientious conviction that at this moment the State was in danger, and he could not see how those who allowed the distress to be as deep, as extensive, as it was on all hands admitted to be, could believe that the people would long continue patiently to endure the misery in which they were plunged. Let them remember that this was not the first time in which the country had been placed on the verge of revolution. He remembered the fearful state in which the country was left when the last Tory administration went out of office. The southern counties were in a state of insurrection. Well he remembered that, night after night, houses were attacked; that lives were lost; and that a special commission was obliged to be issued; that the law was disobeyed; that the judge and the hangman were left to be the sole vindicators of social order. He could remember all that. They had escaped the main danger then;



but would they continue to escape it? Was the distress which existed then at all comparable to that which existed now? No; the state of things at the period in question was plenty and happiness to what it was now. Did they want to wait until another insurrection should take place? There was no country which would suffer more from acts of revolutionary violence than Britain—the state of society here was so complicated—the different classes so much bound up in each other, that the shock of revolution would produce miseries greater than were or could be contemplated. Surely, this was an additional motive for acting; the very distress which such an event would entail upon those who brought it about was surely a motive which should not be without its effect upon the Legislature in urging them to take some step of relief. Were they to wait until the incendiary began his work—until the manufactories were blazing, and woollen and cotton mills spreading abroad their flames upon the night? They themselves could not be safe unless they made an effort for the relief of the people. If they stood silent—if class legislators, introduced to the House by such means as he had alluded to, refused to give the people relief, he had at all events done his part. He had laid the distress before them; he had suggested means of relief. If that plan should be found wrong, let those who objected to it make some other suggestion; if they could not make a better, let them take up with his. At all events, let them not close upon the people the door of despair. The Ministry had given the people no hope—they had shown insensibility to suffering; but let them retrace their steps, and let not Parliament separate until some effort had been made to relieve the suffering millions of this country.

Lord Eliot would not have considered it necessary to rise, had it not been for a particular statement which the right hon. Gentleman had made in his speech. He had referred to a particular case of distress which he had stated on the authority of a newspaper. Now he had received certain statements with reference to that case from Mr. Brew, the stipendiary magistrate, who had been already referred to. He would read to the House the communication which he had received, but in the present state of the affair he would mention no names. The noble Lord read a statement from Mr. Brew to the following effect:—

“I beg to report that the supply of potatoes is abundant, whole cart-loads remaining unsold. The price is from fivepence to fivepence halfpenny for cups and apples, and threepence halfpenny per stone for white potatoes. The distress arises not from scarcity but from want of employment, which is not unusual at this time, after the termination of the spring work and before the commencement of the harvest. I believe the accounts of the distress published in the papers to be greatly exaggerated, and I know strong steps to have been taken to get up cases. One I will mention. A man came to me and said he had been sent to request me to take the affidavit of a man by whom he was accompanied, and whom he stated to be in great distress. He further stated that the man, by making this affidavit, would get relief for himself and his family. The man stated that he had been five days without food; I said that that could not be the case, as there was a plentiful supply of food for the relief of the poor. The person pressed me to take the man's oath, and having effected his purpose said, ‘Now come off to the printers until we get it inserted in the papers.’ I asked him, ‘For what purpose?’ The answer was, ‘The gentleman told me to get it—that there was a reason for it.’ The printer afterwards came to me, and asked me if I had taken an affidavit, and said that he knew it to be false, and that he had told the gentleman at whose instigation it was made, but he had received for answer, ‘True, or not, you must insert it; I have a purpose for it.’”

Such was the statement which he had to meet the case alluded to by the right hon. Gentleman. He hoped, however, that it would not be understood that he underrated the distress which prevailed in Ireland. He knew it to be great and severe, yet to be generally born with fortitude and resignation, but he could not permit unfounded statements to pass without contradiction, which would lead the House to suppose that the Irish landlords had not shown any bowels of compassion. He believed that that was the term used. On the contrary, the Irish landlords and clergymen of both denominations, had exerted themselves in the most praiseworthy manner to alleviate the suffering of the country. He did not mean to make the right hon. Gentleman responsible for the opinions of a newspaper, but he thought that unfounded statements should not be allowed to pass unnoticed. He would just remark before sitting down, that he had heard with much satisfaction the declaration of the hon. Gentleman, that he conceived the prosperity of Ireland to depend upon that of England.

Mr. O'Connell explained, that the ex-

tract which he had read was from the *Morning Register* newspaper, of the 5th of July, and that he had read it so as to distinguish the remarks of the *Morning Register* from the original statement, as given in a Galway paper. He quite agreed with the noble Lord, that many clergymen of both denominations had exerted themselves in the relief of the suffering poor, but there were melancholy exceptions.

Mr. *Escott* said, there might be a way of making a speech in which the speaker might dilate with great eloquence upon the distresses of the people, and yet, at the same time, couple with the most glowing descriptions the most mischievous suggestions, which meant that the people should adopt the course which the speaker appeared to deplore. Why did the right hon. and learned Gentleman talk of the burnings of farms and stacks? Did he wish for a recurrence of those scenes which had afflicted the country when the agricultural labourers were out of employ? It was admitted that distress pervaded all classes; but he wished that the right hon. and learned Gentleman would bring his powerful mind to bear upon what was the proposed remedy for this distress. The right hon. and learned Gentleman commenced his speech by saying that there was a remedy, but that in the present state of the Session and of the House, and seeing how the people were represented, they despaired of seeing the remedy carried into a law. The right hon. and learned Gentleman said he would suggest a practical remedy for the evil; and what was the remedy he proposed as a cure for the distress of the people? Why it was that the Legislature should reconsider that self-same question which the House of Commons had decided in the negative on the previous night. The hon. Gentleman said he despaired of this; but for the sake of the suffering poor, said he, grant a committee of inquiry. Now he would contend, if the hon. and learned Gentleman was not prepared to point out any remedy, let them not have an inquiry. It was a mischievous mode of proceeding to teach the people to look for legislative remedies for evils which were inherent in the present state of things. The right hon. and learned Gentleman talked of the insensibility to the sufferings of the poor on those (the Ministerial) benches, and as a proof of that insensibility taunted them with not having read trumpery

passages from inflammatory papers. He said:—

“The Corn-laws are preserved for the interests of the landlords. You have tender hearts, why will you not spare some of this protection for the benefit of the poor?”

He would tell the hon. and learned Gentleman that they would do so when it was proved that the repeal of the Corn-laws would be beneficial to the poor. It was to secure a sufficient home supply that these laws were continued, though no person had discussed the question upon that ground. The debate on the Corn-law question was remarkable for the speeches of the three noble Lords who formed a part of the late Administration. They produced a remedy which met with a fate not like that which was proposed last night. It was negatived by the votes of two Parliaments, and by the voice of the country, as expressed at the last general election. The noble Lord the Member for Sunderland admitted that one great step had been gained; for though the advantage to be derived from the tariff would be trifling, much was gained in the avowal of the principle that it was the interest of the country to buy in the cheapest market. This principle was not new, but it should be remembered that it was likewise the interest of a country to sell in the dearest market, and the interests of those who sold should be consulted as well as the interests of those who bought, and care should be taken that what had benefitted the consumer did not fall too heavily on the producer. As to the tariff, he had always expected something from it, but no relief to the extent which some hon. Friends near him deprecated as equal to what their fears predicted. Though it would not increase the amount of the prime meats, it would introduce those of inferior quality to cheer the poor man's cottage. The noble Lord the Member for Tiverton admitted that the tariff would afford some relief, but that it would be counterbalanced by the Income-tax. Among all their misfortunes, there was nothing which the people regarded with so much dread as the return to office of the noble Lords opposite, who had inflicted so many calamities on the country. To their neglect much of the present distress was to be ascribed. It was their duty when in office to have taken every possible step to open new markets, to pacify the dispositions of nations which might have been hostile to

us, and to enter into wise treaties for the extension of our commerce. The noble Lord the Member for Tiverton had come down to the House a few nights ago, flushed, he supposed, with Indian successes, and told them that they had not yet reaped the fruits of his gigantic projects,—that he had passed the Indus, entered Central Asia, and secured a great trade in China. The noble Lord had also told the House on another occasion, that the world was divided into various zones and countries, in order that man might be dependent on man. The noble Lord might flatter himself that he was a great moral philosopher—one who was able to discover the causes of things; but he must be more than a philosopher, he must have the powers of a magician, before he could persuade the people of England that their export trade would be promoted by the war in Affghanistan. It was a grave consideration for the Government and for Parliament whether that war had not been so unjust, so flagrant a violation of the rights of nations, that it ought to be continued no longer. His view was, that it had commenced in unjust aggression, and could terminate only in disgrace. The noble Lord (Lord Palmerston) had told the House the other night that one of the first acts of the present Government after their accession to power, had been to write to Lord Auckland, requesting him to remain in India as Governor-general. He knew nothing of what Government had done, but he would venture to state, on what he considered good authority, that Government had never asked Lord Auckland to remain in India. He believed that there was no particle of foundation for the noble Lord's statement; he believed the noble Lord had stated in the House that which had not been done by the Government, and had made that an article of charge against the Government. With respect to that distress of which noble Lords and hon. Members opposite talked so much, the country had at former periods suffered equal distress, and on each occasion recovered its prosperity; and he was firmly persuaded that the genius and energies of the people would yet enable them to surmount their present difficulties. The hon. Member concluded as follows:—Sir, it has been the practice *with some* who have taken part in the *debates* of this House on the various *great and important* subjects which have

occupied its attention during this Session of Parliament, to address my right hon. Friend at the head of the Government in terms of caution and advice. Far be it from me to caution or advise him, but, as a Member of the same House of Commons with himself, I do petition, and I will implore—I ask him who has been raised to a great pre-eminence by the deliberate choice of a free people, and who has used his newly-gotten power for very noble purposes; who in a marvellously short space of time has done great things; who in a few short months has planned and carried into effect a law for restoring our dilapidated finances, and repairing the damage of others' hands,—I ask him in after time to go one step farther, and to seize for himself, as I think he will, that richer reward, that imperishable renown, that unfading diadem, that deathless glory, which shall be his, whoever he be, who shall comfort the sons and daughters of affliction, and raise up the drooping heads of those industrious men whose labour is their only property, though it has given the value to all our possessions, whose labour too often goes unrewarded, though it has constituted and raised up for itself a perpetual and an indefeasible title to our protection, our solicitude, and our care.

"Hæ tibi erunt artes; pacisque imponere morem,  
Parcere subjectis."

Viscount *Palmerston*: The hon. Gentleman who has just sat down denies from authority that the allegation I made the other night, that the late President of the Board of Control had, soon after he came into office, written to Lord Auckland, expressing a wish that he should continue Governor of India.

Mr. *Escott*: I did not say I spoke from authority. [An hon. Member: "All but authority."] I stated I had reason to believe and almost knew the fact to be contrary to what was alleged. But I rested the statement altogether on my own responsibility.

Viscount *Palmerston*: It becomes now equally necessary for me to explain to the House the grounds on which I made that statement. I did so in consequence of an extract I had seen from a private letter addressed by one Member of Lord Auckland's family in India to another in England, of which I have a copy in my hand, and which I shall read to the House. The

letter is dated, Calcutta, November 20, 1841. And, after expressing the regret of the writer that the post had brought no news of a successor, it continues:—

"In fact it is very lucky that Lord Auckland sent home a positive resignation, for Lord Ellenborough has wrote him a most friendly letter, wishing him to stay, and saying that they should get on together admirably."

Mr. *Escott*: The noble Lord's explanation is not inconsistent with what I have said; for Lord Ellenborough is not the Government.

Viscount *Palmerston*: My statement was this—that it was one of the first acts of the present Government, through their President of the Board of Control, to express a wish to Lord Auckland that he should continue Governor of India. That was my statement, and I have given my authority for it.

Mr. *P. M. Stewart* said, that however faint the prospect of relief to the public sufferings might be, it must be some consolation to the distressed people that they had been brought before the Legislature, and discussed amply by the House. The distress of the manufacturing districts, it was admitted on all hands, had reached a point of extreme intensity; and it was admitted also that the fiscal alterations made by Government would have no effect in relieving the sufferings of the people. The distress now prevailing had never been equalled in extent or duration. He wished to say one word in deprecation of what had fallen from several hon. Members on that side, in disparagement of private contributions and individual charities in relief of the distress. If persons in his part of the country had not been actuated by a disposition to contribute liberally, he could assure the House that the county of Renfrew and town of Paisley would have been plunged into still greater destitution than actually existed. For several weeks the people had been almost entirely dependent for subsistence on individual contributions. The Queen had not only contributed towards the subscription, but also effected a great benefit for the community, by creating a fashion for the manufactures of Paisley. He had also to acknowledge the service which had been done by the leading Members of the Government. As a Government they could not act, but as individuals they had given handsome contributions to supply the wants of the suffering population. He admitted there was

nothing practicable in the proposition before the House. It was proposed that they should continue their sittings until means were devised to relieve the present distress. Hitherto they had been engaged in discussing the measures submitted by the Government to the consideration of Parliament; and those measures had been objected to by the Opposition as inadequate to the existing exigencies. If they were to continue their sittings, the same questions would be discussed by the same parties, and the same result would ensue, as was evident from the debate which had taken place last night. With respect to the great question of corn, it had been announced by the Government that no change in that measure would be assented to. Still, if the hon. Member for Greenock went to a division, he would divide with him. He repeated, that he saw no practical result in the proposition; but, as out of the six resolutions moved, five of them, affirming the existence of distress, were undeniably just, he would not vote against the hon. Member, if the opinion of the House should be taken on them. They had done their best, and the question for the House now to determine was, whether they should continue to sit there, or go home to their constituents and perform their duty as Members of the particular community to which they belonged, leaving the responsibility arising out of the present state of the country to the Government.

Viscount *Clements* said, that in the part of the country with which he was connected the distress at this period of the year was dreadful, and was generally of annual recurrence. It had been said, in evidence of the distress in England, that the people were obliged to use oatmeal instead of wheaten bread. But the poor in Ireland, and especially in that part of it with which he (Viscount Clements) was connected, would think themselves too happy if they could procure a small quantity of oatmeal. The bad quality of the food, and the unripe potatoes which the people were obliged to eat, produced fever and sickness to a frightful degree. In allusion to what had fallen the other night from the noble Lord the Secretary for Ireland, he must state, that the descriptions of dreadful distress, lately given in a Galway paper, were correct. The Poor-law, together with an improved administration of the medical charities, would, he trusted, aid in impro-

ving so deplorable a state of things, but at present the distress was awful.

Mr. *Borthwick* said, the proposal of the hon. Member for Greenock was so totally incommensurate to the evils which existed, that he was surprised how a House of Commons could have spent so many nights in debating upon it. The party of which he was a Member had not used the same steps to excite and inflame the minds of the people against the late Government which the Whigs took against the Tory Administration in 1830, and which, just before the latter Government left power, led to the circumstance that the Sovereign, however popular, could not proceed into the city to partake of the proffered hospitality. He (Mr. Borthwick) could not vote for the present motion, inasmuch as the plan of Government (of every part of which he was far from approving) was now presented as a complete whole, while there was nothing tangible in the proposition of the hon. Gentleman opposite. The distress of the working classes was unfortunately greater than anything ever before known in the history of this country, but it would be only aggravated by the free-trade policy of hon. Gentlemen opposite. While he was not overweening in his confidence in the present Government, he was happy that they had now an Administration capable of giving effect to its own measures. There was every element of prosperity in the country; and if the Government was true to itself it would deserve the eternal gratitude of the people for the restoration of this prosperity. In proportion as Liberal theories were acted upon, in the same proportion was there a decay in the prosperity of the country. He hoped, therefore to hear no more of them.

Mr. *Marsland* observed, that some hon. Members objected to the motion, but they did not themselves propose anything more definite or tangible. By some Members of the Government they were told to wait for a good harvest, that a favourable season would put an end to all the difficulties of the country; but who would contend that pleasing anticipations were sufficient to maintain a starving people? The disease had gone too far to allow of half measures. The people were clamorous for bread, and yet the Ministers looked calmly on a wide scene of desolation, and withheld the only remedy from which the people could hope to derive any relief. A mitigation of the public distress could not

be expected so long as the present restrictions on commerce were allowed to continue. All the interests in the nation were borne down by the pressure of the times, and yet the leading measures of the Government consisted in the imposition of fresh taxes. Such a state of things could not continue. There was a crisis beyond which misery could not be endured, and the people had now arrived at a point when no change could be a change for the worse. No one could view the condition of the working classes in the manufacturing districts without apprehending the most formidable evils from the state of desperation to which they had been reduced, and the middle classes were so dispirited that there could be little hope of inducing them to restrain any tumultuous proceedings of the working men. In the borough which he represented there were from 2,000 to 3,000 of the cottage houses untenanted, and more than half their manufacturers were unable any longer to carry on business. There was, therefore, a diminution of their weekly circulation to the extent of 7,000*l.* or 8,000*l.*; that was a void which no charity could fill; that was a state of things which no power less than that of legislative enactments could remedy. The people of England did not ask for charity; they demanded justice, in order that they should not perish in the streets, but be allowed to exchange their goods with the nations of the continent for that corn which those nations so abundantly possessed.

Mr. *Childers* imputed the prevailing distress to the high prices of corn. The right hon. Baronet the Member for Dorsetshire expressed a confident hope that the approaching harvest would be one of a favourable character, and the ground of his expectation was this—that we rarely were visited by more than two bad harvests in succession. It appeared to him that facts did not bear out such a statement. Every harvest was to be judged of by the prices of the succeeding year. The prices of the last three years were as follows:—1839, 70*s.* 8*d.*; 1840, 66*s.* 4*d.*; 1841, 66*s.* 4*d.*; and probably the average price of 1842 would be about 64*s.* He was, therefore, warranted in saying that we have recently had four deficient harvests. Our average price for the last three years was 67*s.*, a price certainly quite sufficient to account for the prevailing distress. It was said that there was a prospect of an

abundant harvest; but would that prospect be realized? He remembered that when the right hon. Baronet was sent for from Italy to take a part in the Government, it was supposed that there would be a very bad harvest, and it was not until after the Whig Administration went out, and it had been thrashed, that the public were convinced that their gloomy apprehensions were unfounded. The country was now in a position in which great changes must be made in our commercial system, or it would be impossible for us to go on. He believed that the protection of corn was the great key of all protection and the shield of all monopoly; therefore, unless the ports were opened, the manufacturers of this country must still suffer, and increase in suffering. The right hon. Baronet, in the course of the present debate, had mentioned a principle of which in the past year he spoke in rather a melancholy tone—that of buying in the cheapest market and selling in the dearest; and there was another principle also which deserved equal consideration—that all commercial restrictions should be removed, and that we should trust to the influence of our example upon other nations. These two principles ought to be carried into practice. He was glad that the resolutions of the hon. Member had been submitted to the House, because he thought the discussion of them would show the people that Parliament was not unmindful of their distresses. He anticipated great practical good from this discussion; because, although he despaired of immediate remedial measures, it would lay a foundation for the prevention of vicious legislation; but, as he saw that no practical good was likely to result from Parliament prolonging its sitting, he could not vote in support of the motion.

Mr. M. Phillips had never risen to address the House with feelings of greater emotion. The distress of the country, spreading among all classes of the community, he had never before witnessed, and which he fervently hoped would never occur again. The statement of the hon. Member for Stockport was entitled to the deep and anxious consideration of that House; and when he reflected upon the deplorable state of a constituency, removed only by seven miles from that which he himself represented, he would ask whether he had not reason to conclude that the distress prevailing in the neighbour-

ing borough would not long be kept from his own. It was not his intention to trouble the House with long statements of figures to prove the fact of the existence of a deep and widely-spread distress. Enough had been said on that point by those who had preceded him. But when he heard some hon. Gentlemen say that there had formerly been periods of distress equal in intensity to the present, and when they said that we were likely to be relieved from it in the same manner as before, he could not help drawing a contrast between those times and the present. The difficulties of the country which arose out of the panic of 1826 were of a different nature, and arose from different causes. Now, the Bank of England had improved, our monetary system had improved, and yet with those means at the present moment at hand and ready to be exercised, we had a stagnate trade; labour unemployed; manufacturers becoming more and more desponding as markets fell. Now, with regard to the Corn-law considered as producing these effects, let him say that his opinions on that subject had undergone no change. He had never considered the prosperity that manifested itself in 1835 and 1836 was permanent and enduring in its nature. He had then stated his opinion that the main, the great evil remained uncorrected; that the undercurrent of evil was silently flowing, not, perhaps, distinctly apparent to the view, of all those men who were anxiously absorbed in their commercial transactions, but still it was there. He had then said, and his opinion was on record, that the Corn-law was at work effecting evil to commerce, although, perhaps, not so palpable on account of the speculations then carried on, the expansion of the currency, and other causes. What was wanted now was a market for our commodities. In the whole course of his life he had never felt more convinced, nor had he ever stated an opinion with warmer sincerity, that unless the trade in the first great necessary of existence were thrown open, all other attempts at amelioration would be unavailing. They might patch by legislation here and legislation there, but by postponing that which he solemnly believed was the only remedy, the country would be placed in such a condition that her institutions would be swept away. None could more regret such a result than he. It was not only a question of the

Corn-law alone, but the safety of the institutions of the country was involved with it. Much had been said of the immigration of labourers from the agricultural into the manufacturing districts. There had, he thought, been an exaggeration, rather perhaps of opinion than of statement on that point, but he begged the attention of the House to a document, the correctness of which he believed no one in the House would question, he meant the report of Mr. Moggridge, dated 20th of July, 1836. [the hon. Member read an extract from the report, which stated that 329 families, or 2,673 persons had so immigrated]. Let the House and the Government consider that they had to deal with persons who were starving. The resources of private charity were utterly unavailing to counteract the distress. He had not himself entered into an exact calculation, but he believed it would be impossible to raise out of that source even the amount of one day's wages of the manufacturing population. Under all these circumstances it behoved the House carefully to consider their course. Nothing could induce him on the present occasion, as he had done formerly, to advocate the repeal of the Corn-law, unless he was thoroughly convinced in his own mind that nothing else could give to the labouring population the means of employment, and give to the people the means of exchanging their commodities for the produce of other nations. He had entertained that opinion at a time when it was unpopular with one party as well as with the other—at a time when he was deemed Quixotic for the opinion he expressed that the corn duties should be gradually diminished until they should cease altogether at the end of seven years. He felt it his duty on the present, as he had on all preceding occasions, to lend his feeble but anxious assistance to the promotion of what he believed to be a sound and wholesome system of legislation—to give to the commerce of this country that free expansion which he felt convinced must redound to the interest of every class in the community, and to that of none more than the agricultural. What, he would ask, would be the position of the country if they refused to do this? What had enabled England to encounter and overpower the difficulties with which she had before been surrounded? What had enabled her to pay the interest of a debt unexam-

pled in magnitude? Had it not been the extent to which her manufacturing industry had been carried—and that thus in former years employment had been found for our increasing population; and manufacturers and merchants had paid large shares of those taxes that had enabled the public faith to be maintained, and England to uphold her position among nations. If the course of legislation led not to improvement in the state of manufactures, the interest of the debt could not be paid from taxes collected from the manufacturing districts, and if not collected there, they must fall upon the land. That was an alternative he should wish to avert. He had no wish to throw upon the shoulders of others burdens which the merchants and manufacturers ought to bear, but when he saw the position in which they were now placed, endeavouring, as it were, to contend with other nations with one hand tied behind them, then it became his duty to point out the dangers he feared, and the means he believed would avert them. He was convinced that the present state of our trade with the United States was susceptible of immediate improvement, by putting us in a position to receive from them what they could give in exchange for our commodities. The United States at present, in regard to their finance and monetary system, was in that state of dislocation and dilapidation that years must elapse before she could become a *bonâ fide* consumer of our manufactured goods to the extent she had been; and he knew of no means by which the proper commercial connection could be kept up between the two countries than by enabling the two countries to exchange the produce of their industry. In addressing himself to the right hon. Baronet at the head of the Government on the subject of the present crisis, he sincerely assured him he was actuated by no personal feeling of disrespect, and he would say to that right hon. Gentleman, knowing as he did his high talents—"Declare yourself at once in favour of that movement which will restore the equilibrium of the country. Do not suffer yourself to be guided by the feelings and influences of those around you, when you know their counsels must inflict injury upon the country, but come forward and place yourself at the head of this movement in favour of free-trade, and you will be regarded by posterity as the Minister who had the moral courage

to throw aside all party prepossessions, all consideration of class interests for the general good of the country. Then you will assume the position to which your talents entitle you, and then will you be rewarded in after times by the thanks and blessings of your countrymen."

Mr. *R. Yorke*, in allusion to the Corn-laws, said that the right hon. Baronet, when he proposed his Corn-bill this year, stated that it was necessary to render this country independent of every other. The noble Duke, however, at the head of the Government in the other House, expressed himself in precisely the contrary terms, and yet both of these high personages, differing entirely upon the results of this bill, concurred in passing this restrictive measure. In the year of 1820 and 1821 this House had appointed a committee for the purpose of inquiring into the question of the Corn-laws. Among this committee was the hon. Member for the county of York, now Lord Wharnccliffe. The immediate inquiry then was, whether the operation of the Corn-laws was good, and whether the sliding-scale was good. The conclusion they came to was, that the sliding-scale afforded the greatest temptations to fraud, and that a fixed duty was much more just and judicious for the country to adopt. What was the conclusion that common sense would deduce from this fact? Why simply that the supporters of the sliding-scale had reckoned without their host, and by their present measure they permitted the greatest gambling to take place with the famishing stomachs of the people, upon the principle of this phantom of protection.

General *Johnson* said, that during the whole of this debate on the motion of the hon. Member for Greenock no remedy had been proposed for the relief of the distress but the tariff. The tariff was to work wonders. He could not perceive how it would operate beneficially to the country. The starving people could not wait until the tariff came into full operation. Some remedy must be proposed for the relief of those who were suffering from an alarming state of distress. He should not think that the hon. Baronet would allow the Session to close without bringing forward a measure of relief. It had been stated that a repeal of the Corn-laws would have the effect of mitigating the distress so generally prevalent. If the Corn-laws were repealed, how long, he would ask,

would this country be able to pay the interest of the national debt? He thought that a repeal of these laws would reduce the agricultural interest to the same amount of distress now prevailing in the manufacturing districts. He was disposed, however, to try what would be the effect of a modification of these laws, although he was not over-sanguine of the result. With reference to the distress in the country, he held in his hand a letter from a private correspondent. It detailed some facts in relation to the number of persons who had received casual relief in the first week of July from the year 1838 to 1842, in the township of Oldham. By that letter it appeared that in the first week in July, 1838, and the same period in each year until the present, the number of persons who received casual assistance and the amount of relief afforded were as follows:—

Years.	No. of Persons.	Amount of Relief.
		£. s. d.
1838	171	20 14 8
1839	386	39 18 3
1840	364	49 17 8
1841	399	56 11 6
1842	658	92 0 0

It was alarming to contemplate the increase of distress, and that too during the height of summer. Allusion had been made to the coming harvest. He was not sanguine on that point. There was no prospect of an average quantity of wheat in the country. He would not support a vote of credit or vote for further supplies unless the right hon. Baronet at the head of the Government held out some hope of relief.

Mr. *Grimsditch* thought, that it was absurd to suppose that a repeal of the Corn-laws would afford relief. He regretted to say that for the last twenty years the wages of the artisans had taken a downward course, owing to the general extension of steam power and the introduction of machinery. The work which in former years would have employed 300 hands could now be performed by fifty. Within a circumscribed district round Manchester there had been an increase of 10,000 horse power. Machinery had increased to so great an extent that it rendered this country capable of, not only supplying the world, but another equally



as large. Look at our position with reference to America. That country owed us 50,000,000*l.* That was enough alone to exhaust the energies and resources of this country. He was satisfied that it would be necessary to relieve the distress of the people, which had been occasioned by the vast increase of machinery in this country; it would be necessary to legislate on the subject of labour, and he would be quite prepared to give his vote for a ten hours' factory bill. If the Corn-law were repealed to-morrow it would not mitigate the distress of the people one iota. That was not what was wanted, and he would give his vote against the motion of the hon. Member for Greenock.

Mr. *Leader* ascribed the distress of the country to that system of class-legislation which had had the effect of closing the markets of the world against the reception of our manufactures. Part of the distress undoubtedly arose from causes over which the Legislature had no control, but by far the greater part of it was occasioned by the unwise and mistaken course into which our legislation had been directed. Had that House really been the representative of the people, he believed he should not now have to lament the distress under which the country was suffering. When the noble Lord the Member for North Lancashire (Lord Stanley) said that the country was now reaping the fruits of the political seed sowed by the late Government, the noble Lord ought to bear in mind that for the last two or three years of its existence the late Government was completely under the control of the party who now held the reins of power, and that it had been the boast of that party that the Minister of the day could carry no measure nor adopt any one act without their sanction and concurrence. That being the case, the Gentlemen now upon the Ministerial bench were as responsible as the late Government itself for the very measure to which the noble Lord now attributed so much mischief. Previous to the accession to power of the present Ministry all the evils of which the country complained were attributed to the weakness of the then existing Government. "You cannot carry your measures," said their opponents; "you are tottering upon your legs; your power has passed away from you; you are weak; the country has lost its confidence in you. We, on the other hand, are strong; men are dis-

posed to trust us; we have power in our hands; give us the reins of Government, and we will replenish your finances, give prosperity to trade, and restore the happiness of the people." These strong men were now in power, but what had they done? They had given the people an Income-tax, pressing more heavily and oppressively upon trade than any other tax could possibly do, and they had effected some alterations in the tariff. Those alterations undoubtedly were good, as far as they went; but they had this vice, that they involved every small interest in the country, without ever touching the great ones. It was a mockery to say that the alteration in the Corn-laws touched, in the slightest degree, the monopoly of the agriculturists. Under these circumstances, the working classes, finding that the strong Government from whose promises they had been led to expect so much, did not carry out the views it had professed, would begin to adopt a sterner tone of language. They would say:—"You, the House of Commons, who claim to represent the morality, wealth, and intelligence of the country, say that you can do nothing for us; you refuse to listen to our grievances, even when we put on your Table a petition signed by 3,000,000 of the people. You will not hear us explain our wrongs, nor listen to what we believe would be a remedy for our sufferings. You have been tried long enough. Let us now be admitted within the pale of the constitution, and as you can find no remedy for our distress, let us see whether we cannot find one for ourselves." He maintained that the course pursued by the late and by the present Government—the distress which prevailed, and the denial to listen to the remonstrances of the people—would do more to strengthen the power of those who sought for an alteration of the representative system than any travelling lecturers, any ardent speeches, or any public meetings could ever do. One of the great mischiefs resulting from the restrictions still imposed by our tariff was the difficulty thence imposed in the way of effecting commercial treaties with foreign nations. The hon. Member for Shrewsbury had asked, "What had become of our long-promised commercial treaty with France?" He begged to repeat that question. France had lately imposed an additional duty of 12 or 15 per cent. upon our linen and linen yarn. This would cause great

additional distress in several districts of the north of England and of Scotland. Farther than this, he should like to ask her Majesty's Ministers whether they had not heard of a negotiation going on between the French and Belgian governments, by which the French were endeavouring to induce Belgium to put an additional transit duty upon British goods passing through Belgium to France; and if they had heard of it he should like to know what measures they had taken to prevent its being concluded. Everything of this sort, indirectly operating against the commerce of England, necessarily added to the distress of the working classes. It was right, therefore, that this House should know whether the Government were alive to the subject, and whether they intended to take any decided step in reference to it? Again, what had become of the much talked of treaty with Spain? It was only the other day that the Spanish government also had put an additional duty upon English goods. Perhaps the right hon. Gentleman opposite fancied that this could not materially affect the causes of distress in this country, but he begged to tell them that the recent acts of the Spanish and French governments would have the effect of throwing thousands of men out of employment during the next winter. He mentioned the failure of our commercial negotiations, and the additional suffering which he believed would thence be entailed upon the people of this country, in order again to say that he was satisfied that all our commercial negotiations with other countries were broken off on account of the system which our rulers seemed determined to uphold, of preventing the free importation of corn. Speaking upon this point of our commercial relations with other countries, he could not but refer to what had been said on a previous evening, by the noble Lord the Member for North Lancashire, (Lord Stanley.) The noble Lord spoke upon that occasion, as he always did, with great energy and talent, but certainly with more than his usual indiscretion. The noble Lord condemned, as strongly as language could condemn, the policy of the late Government in respect to China and India. Now he should like to know what foreigners would think of a Government, one of the leading Members of which actually went out of his way to attack a policy which his Col-

leagues had adopted. What but divided counsels could be expected from a Government, the subordinate members of which did not even appear to know what their head and chief had approved and adopted? When the noble Lord attacked the policy of the late Government in respect to China and India, he ought to remember that all the responsibility for the adoption of that policy did not rest with the Members of the late Ministry, for at the very time that that policy was under discussion in Parliament, the Gentlemen now in office made it their boast that they could, whenever they pleased, stop any measure of the Government. If, therefore, the policy in respect to China and India had turned out to be disastrous, the present Government was fully as responsible for it as the late Government could be. The evils of which the country now complained he believed to have been caused by the bad policy of the executive; and, in his opinion, the remedy was only to be found in making our tariff much more liberal, and by adopting, to the fullest possible extent, the principles of free-trade.

Mr. C. Buller felt anxious to state his feelings upon the very grave question before the House, and he was most anxious to discuss it without the slightest particle of party feeling. Before going into the subject, he wished to refer to the attack made by the noble Lord the Secretary for the Colonies upon his political opponents. He said the present Government would devote the whole of the summer and the autumn in repairing the blunders of the late Government; and then he attacked their policy in Afghanistan and in China, and pointed at that policy as the cause of the distress. The noble Lord alluded to this portion of the policy of the late Government as one of the causes of the prevalent distress. He would not enter into any discussion as to the policy of the Government in reference to this subject, but he thought the noble Lord would be unable to prove that that policy had any effect in producing the distress under which the country now laboured. Could the noble Lord point out any trade or interest in this country which was affected by the policy we had pursued? The late Government engaged in war with China, in order to restore the commerce which had previously existed, and which had been interrupted by the edicts of the Emperor. But he would not

had the trade with China sustained any interruption in consequence of the present hostile state of affairs? The fact that the import of tea into this country still continued, the fact that since the commencement of the war the supply had been more abundant than previously, and that the price had fallen, showed that hostilities had not interrupted the trade. The noble Lord had also referred to the policy we had pursued with regard to India. What interest, what department of the trade of this country, he would ask, had been affected by our Indian policy? What description of goods manufactured in this country had been prevented from finding a market in consequence of the hostilities in India? He believed the fact was, that since our armies crossed the Indus, the import of British goods into India had increased considerably. If they looked to the commercial history of India, they would find that during the period the late Government held office much had been done towards developing the resources of that country, and opening new channels of industry and wealth. During that period the cultivation of tea had been introduced into India, and it had now become an article of extensive export, and the amount exported was gradually increasing. During the same period, also, the production of sugar for the English market had been commenced and encouraged; and a still more important step had been taken, in the introduction into India of a mode of preparing cotton. He thought the noble Lord, in endeavouring to obtain a cheer from his partisans by throwing discredit on his political opponents, had not pursued a course which was likely to aid them in the attainment of their present object—the determination of the causes of the existing distress. The question now under consideration was one which he conceived ought to be approached with the greatest delicacy, for there were two causes of apprehension which must be entertained by all who entered into such a discussion. The first was, that they might hold out hopes of relief with regard to matters which were beyond the control of the Legislature; and the other was, that, in timid apathy, they might, because they could not remove all the causes of distress, forbear to grapple with those which it was in their power to deal with. *He thought the present was a most important crisis in the history of the coun-*

*try, and if hon. Gentlemen were desirous of preventing an absolute check to our prosperity, it was their duty to inquire whether, by any alteration in our present policy, a larger field might be afforded for the exercise of the energies of our countrymen. The intensity of the distress which existed at this moment was admitted on all hands. It was also admitted, that at no former period had distress prevailed to such an extent as at present. This distress did not affect any one branch of manufacture alone, but it extended to all departments of trade. Not only was the cotton manufacture depressed, but the iron and woollen trades were in a most lamentable condition; and he believed, that there was hardly a town in the country which suffered more severely than Leeds. The distress was not, however, confined to the northern districts; it was felt extensively in the south of England. He had seen a letter from an intelligent country gentleman resident in Devonshire, who said, that the distress which prevailed in that district—and especially in the towns of Exeter and Plymouth—was such as had never been witnessed before. He considered that, with regard to this metropolis, the gaiety of the season—the balls and parties which were given—deceived many people as to the actual state of affairs. He believed there never had been a worse season than the present for the tradesmen of the metropolis. He might allude to one trade in particular, the book-selling trade, which was in a state of the utmost depression; and he thought it might be regarded as a fair index of the condition of other branches of business. One alarming feature of the present distress was its extremely long duration: and the great question was, under what circumstances, and from what causes, could they hope for any revival of trade? He thought the right hon. Baronet, at the head of her Majesty's Government, had not used a very consolatory argument, in alluding to the large imports of cotton, and the activity of our manufacturers during the period of this distress. If any circumstance was calculated to damp the hopes of a revival of trade, it was this, that, during the prevalence of the existing distress, the stocks of the manufacturers had continued to increase, and that they had carried on their competition more vigorously than before, endeavouring to make up by small profits upon large quantities of goods, for*

the decrease of their usual amount of profit. The result was, that at the present moment, the world was deluged with our manufactured goods, and that there was now less chance of the revival of trade than there was at the commencement of the depression. He thought, then, that it was the duty of Parliament and of her Majesty's Government, to look these difficulties fairly in the face, and to give full consideration to the various proposals for the relief of the existing distress. The great question was, what remedy could be provided for this distress? The deduction he drew from the debates on this subject was this, that there never was a period when the people were more ready to work than now, or when they would labour with greater energy; but that the existing distress arose from the fact of our being unable to obtain a market for our manufactures. How, then, could we obtain a market? It had been said, that our inability to obtain a market arose from the detestable system of commercial policy we had pursued in endeavouring to induce other nations to take our manufactures, without receiving their productions in return. Let them reverse this system—let them deal on the ordinary principles of barter. If they expected other nations to take their manufactures, they ought to take the productions of those countries in return. Above all, they must repeal those laws which stood most prominently in the way of free commercial intercourse—the Corn-laws; thus giving the people cheaper food and more extensive markets with corn-producing countries. What course had her Majesty's present Government pursued on this subject? They had considered the question, and, to use the language of the right hon. Baronet, the Paymaster of the Forces, they had determined, that the great object of their legislation with regard to corn should be to maintain the country gentlemen in their present position. The Government had endeavoured, by the measure they had introduced, to render the monopoly less offensive, but the law still operated as mischievously as ever. Hon. Gentlemen on his side of the House had last night proposed to give the Government the power—as they would not consent to a free-trade in corn—to admit corn free of duty, if circumstances rendered it expedient to adopt such a measure; but the Government, by their majority, rejected the proposal and refused to accept the power of conferring this boon on the people. But it was said, that the tariff introduced by her Majesty's Government was founded on free-trade principles, and would tend to promote our commercial intercourse with other nations. He certainly considered, that the principles of free-trade were never more fully advocated than in the speech by which the right hon. Baronet introduced the tariff. The great principles of free-trade were laid down most admirably and consistently in the speech of the right hon. Baronet, but they were most inconsistently carried out in the tariff. He considered the tariff a bold measure; it shook the whole system of monopoly, and he had no doubt that eventually results most satisfactory to hon. Gentlemen on that side of the House would ensue from its adoption. But how did it bear on the comforts of the people? He thought the measure had been ingeniously contrived in such a manner as to avoid dealing with any article of general consumption by the people. First, the tariff did not affect the price of one of the greatest necessities of life—bread. He might observe, in passing, that since the adoption of the Corn-law proposed by Government the price of bread had risen considerably. The tariff did not make any alteration with respect to the article of butter, although attempts had been made to induce the right hon. Baronet to consent to a reduction of the duty. A similar attempt was made with regard to cheese, but it was equally unsuccessful. No reduction had been made in the price of beer by diminishing the duty on malt, the import of which was, in fact, prohibited. Nothing had been done with regard to tea or sugar. He presumed the duty on the latter article, in support of the West-Indian monopoly, was maintained in order that it might not be said that the monopoly of the landed interests of this country was the only monopoly which received the sanction of Government. With regard to the reduction proposed on coffee, it was found on investigation that it would amount only to about 2d. per pound. It had been said that a considerable reduction would be effected in meat, but he believed it would only amount to a halfpenny per pound; and they had the admission of the right hon. Baronet that at the proposed rate of duty no meat would be admitted into this country. No reduction

whatever was proposed with respect to soap, candles, fuel, or leather. Although, then, it was alleged that this tariff would relieve the distresses of the country, it did not effect a reduction in the price of any article of general consumption. He thought it was evident that the tariff could not afford any relief to our manufacturers by opening markets for the sale of their goods. A second mode of relieving the existing distress was to introduce a larger system of emigration, and thus to raise up colonies to become markets for the mother country. Had the Government done anything in this way? It seemed that the object of the Government with respect to emigration was to disabuse the people of this country as to what they conceived to be the fallacy of any system of emigration to do the people any good. Another mode of relieving the distress was by a good Poor-law; but had the Government yielded in that? No; he thought very properly, and very much to their credit, they had refused all those propositions for turning this country into a country of paupers. It was not by Poor-laws they could repair the mischief done, and they would not alter the Poor-law. At last a Gentleman, a great friend of the poor, had proposed another measure. The hon. Member for Knaresborough, driven quite to despair by the conduct of the Government on the Poor-law, had proposed a vote of a large sum of money for the relief of the distress. But the Government had resisted that also. They would neither give any relaxation of the commercial system to relieve the existing distress, nor favour extensive emigration, nor concede a better Poor-law, nor grant a million of money. He wanted to know what relief that House would have afforded to the distress of the country by the time it broke up? The right hon. Baronet had trusted to the chapter of accidents to relieve the country from this awful state. In the discussions on the Corn-laws a year and a half ago the right hon. Baronet used to deny the distress that existed, and used to contend that there were only a few people crying out, but that there was no real distress in the country. The right hon. Baronet at his election last year had made the first admission of distress. He made the important admission on the hustings at Tamworth that there was distress at Nuneaton. During the last short Session the distress had been gradually elaborated. They were then told of the distress this Session, but that it would yield to natural causes. They were told to do nothing, but to go on legislating quietly, chipping a little bit off the Corn-law and a little bit off the tariff. He believed the notion of the Ministers was, that there would be a revival of trade in the spring, and that they would have the credit of it as a consequence of their tariff and Corn-law. But there had been no revival in the spring, and the right hon. Baronet had been obliged to admit that he was disappointed. And that was the way the House was to separate with nothing but an acknowledgment of the universality of the distress, and a general declaration of the Parliament that it could or would do nothing to alleviate that distress. He asked hon. Gentlemen opposite whether this was a safe way in which to leave the country? He asked them whether they believed the people of this country would think that this was the duty of Parliament, and, if so, whether they would not inquire if Parliament existed for their benefit at all? The right hon. Baronet had complimented the people of this country in a very handsome way for the manner in which they had borne the distress, and had certainly used no eulogium but what their conduct fully entitled them to. But there was one thing which would turn a patient people to a discontented and furious people. It was not the pressure of calamity alone, for he believed the people of this country were so intelligent and honest that they would not look to the Government for that relief which no Government could give, and if they saw that the privations which they endured were inflicted on them by the hand of God they would submit to them patiently. But there was one thing which drove any people to madness, and above all infuriated them in proportion to the spread of intelligence amongst them, and that was the misfortune, not of any mysterious decree of Providence, but of the very intelligent and palpable selfishness of their rulers. And this was the general impression of the people, embittered by every hour of suffering, strengthened by every discussion that took place—that they were suffering, not because God had denied them the means of labour, not because the world would not take the commodities which they raised, but because their dishonest Legislature refused to allow them to exchange them

labour for the labour of others. And he thought the people judged very rightly in this matter. He must say, disapproving of the schemes for the immediate extension of the suffrage which had so large a circulation, and spread amongst those excluded from the suffrage, he did not at all wonder at the general feeling of the working classes of this country, that as our legislation was so obviously carried on without regard to their interests, they would endeavour to get the power of the Legislature into the hands of the people, who would then be desirous to use it for the benefit of themselves. By their measures, the Parliament was fast converting the middle classes into Chartists. The recklessness of real and utter despair of the Government doing anything for their benefit was producing the impression that it was better to "fly to evils that they knew not of" than bear those that they were suffering under at present, and that, unwise as universal suffrage was, it could not be worse than the present system. His impression was, that there must be a change in the representation of this country—that there must be an extension of the suffrage; but he must own that he doubted the value of such an extension of political power. He should wish to fit the people for the use of political power before it was granted to them. But they (the Parliament) were precipitating the evil which he deprecated. There was but one way to stave off universal suffrage, and that was, that they should govern the people so honestly and wisely, that none of them should ever believe that universal suffrage could ever make legislation flow more in the interests of the people. It was precisely this, that they were preventing every day their Corn-law existed. They were giving an argument to those who would shake the institutions of the country to their foundations, and, what was worse, giving plausibility to their wildest schemes. It was for those who were a majority of that House gravely to consider these consequences. He did not mean by any such argument as this to appeal to a great number of Members on the opposite side of the House, because many hon. Members opposite seemed to exhibit that spirit, always shown by an oligarchy in its decrepitude, of clinging to their privileges and to abuses with greater tenacity the more the people tried to wrest them from them. Disregarding

all experience, they seemed determined to have no surrender of their privileges till they should be deprived of them. He was happy to believe that there were some Gentlemen opposite who had better views of the purposes for which the privileged class was intrusted to govern. There were some Gentlemen—and they had a memorable instance of it in the Member for Pontefract last night—who, whatever their feelings of party might be, would yield to the common feelings of humanity, and to the general outcry of a distressed people. He would fain believe that there were Gentlemen on the opposite side of the House amongst whom the distresses of the people would make an impression, and that however, they might now vote, their prejudices would be shaken, and that they would begin seriously to consider whether it was not time for an alteration. But there was one person who must feel the responsibility which weighed on him—he meant the right hon. Baronet opposite, who knew he was there at the head of a party attached to him, and following him even when they disapproved of his measures, because he was the only one among them whom they trusted for knowing the way at all. The right hon. Baronet knew, and the country knew, and the wide world knew, that he had an immense party ready to follow him. He knew that in an honest and straightforward course he might rely on the national feeling as elevating him above the support of party. He knew the circumstances under which he came into power—that he had called the Conservative party into existence. When the old worn-out Tories were defunct, the right hon. Baronet had come forward and evoked the more rational spirit of Conservatism, and had said to the world, that even with a greater freedom of Government and a wider system of representation, the aristocracy of England should be induced so to govern the country that the electors of England should acquiesce in their honest and enlightened rule. He perfectly believed in the honesty with which the right hon. Baronet had made that pledge. He had always, when speaking of the right hon. Baronet, done justice to what he believed to be the purity of his motives, and he would say, that he believed he had an anxious desire to use his power for the good of his country. He did think he (Sir R. Peel) was free from some of the prejudices and feelings

of those amongst whom he was placed; and even in their hostile ranks he had some sympathy for the people of England. He would do justice to the right hon. Baronet's enlightened views, which he believed he was anxious to carry into effect; but what they wanted to see was, whether he had the heart and courage to carry into effect that policy which he knew was fit for the people of England—whether he would use his power for the benefit of the people. His lot had not been cast in times when he might use power as lazily and as innocuously as his predecessors had done; it was not given to him, as to Lord Liverpool, to potter on from quarter-day to quarter-day, and meet the party questions of the day by popular nostrums. He believed the right hon. Baronet felt his responsibility. He knew not whether this responsibility would act on him for good or for evil—whether it would induce him to persevere in the measures of his party, or to take that wise and bold course which could alone save this country; whether, he would, in fact, become the Minister of a nation and carry into effect the great measures called for by the pressing emergencies of the time, or whether he was going to persevere in the miserable course which perhaps would be more consistent with the means by which his party had got into power, and be the mere minister of the follies and passions of his party, and the agent of that destruction in which his party were about to involve the whole people.

Mr. *Ewart* said, he had been struck, and he was convinced the country had been struck, with the inconsistency which had marked the proceedings of the right hon. Baronet at the head of her Majesty's Government. The right hon. Baronet had admitted the whole of the premises of the free-traders, but he had refused to accept their inevitable conclusions. There were two means open to the right hon. Baronet by which he might have served the interests of the manufacturers of this country. He might have adopted a free-trade in corn, or he might have admitted of the free exportation of machinery; indeed it was open to him to have done both. The subject of the exportation of machinery had not yet been adverted to in the course of these debates, and yet, next to the repeal of the Corn-laws, there was no measure which the right hon. Baronet could have introduced with more beneficial

effect on the manufacturing interests of this country, than a measure to allow of the exportation of machinery. But machinery had been altogether omitted from the new tariff. Above all things the right hon. Baronet ought to have admitted the corn of America into this country. It was a singular thing that while we, in this country, had very strong symptoms of a deficient harvest—["Oh."] He should be happy to find that the hon. Gentleman who exclaimed "Oh," was better informed upon this point than he was; but he had heard from various quarters that the prospects of the coming harvest were not of the most promising description, and yet while that was the case in England, there was every prospect of there being one of the most splendid harvests in the United States that ever blessed those fruitful regions. This country ought to encourage free-trade with America, because he did not believe that one year would pass over before France and Belgium would compete with us successfully in that country, while there was every ground for concluding that the German League would soon be joined by the whole of the Hanseatic Towns, and by Hanover itself. The right hon. Baronet had by his tariff recognised principles which would make it impossible for him to rest where he now was; those principles must inevitably lead him on in the path of free-trade, and that in spite of all the opposition of his own party. He saw nothing but danger to the peace and the property of the country unless there speedily took place a total change of the Corn-laws. It was his conviction, that the course which had been pursued by the Government was a course at variance with the peace as well as prosperity of the country, and was one which they would all have to deprecate as long as they existed. Unless that course should be changed the people would be driven on to a spirit of resistance. There was, however, this consolation, that if the people did resist, it would not be a resistance of disorder, but one of peace. They would act with energy, and that energy would be wise and powerful, because it would be guided by knowledge, and would be grounded in justice. If the right hon. Baronet should allow the Corn-law question to slumber, the people would seek other and greater changes. It was not very difficult to see what those changes would be. They would in the first place

demand the total repeal of the Corn-laws, in the next place the whole of the taxes would be thrown on property, and in the last result, if the Government much longer lingered in their fatal course, political changes would be called for such as had never hitherto been anticipated. It was easy to see that the present system of Government, beginning in a denial of justice, would end in disorder. It was from a deep conviction that unless the Government made those timely changes, which were founded in sound principle, they would be called upon to make other ulterior, and much more dangerous changes. He therefore called upon her Majesty's Government, and those who supported them, to pause, reflect, and reform in time, and to grant at once to the material wants of the commercial and manufacturing population those changes which, if much longer withheld, would be wrung from them by the adoption of political changes that would be forced on by an incensed and injured people.

Mr. Cobden, notwithstanding the many statements which had been made during the present Session, and notwithstanding all that had been said in the course of this debate, really entertained serious doubts whether hon. Gentlemen on the Ministerial side of the House were at all convinced of the actual existence of distress amongst the people. After listening to the speeches which had been delivered by Members on the Opposition side of the House, and observing the silence that had been kept by hon. Gentlemen who supported her Majesty's Government, he certainly did entertain serious doubts whether, after all the complaints made of the great and grievous distress that prevailed throughout the country, those complaints were not considered by hon. Gentlemen on the other side of the House as mere party statements, and the question of distress itself a mere party question. For, he would ask, were there really no hon. Gentlemen on the Ministerial benches who represented any portion of the community that were afflicted by distress? Where was the hon. Member for Leeds? Where were the two hon. Members for the West Riding of Yorkshire? Was there no distress prevalent in that vast and populous district of the north? They were silent. Why was it left to Members on the Opposition benches to carry on this debate? He could account for it on one ground only; either they did not believe in the existenc-

of distress, or, though believing it, they were willing to hush up all the facts connected with it, for the sake of party purposes; and he must say that he thought her Majesty's Government had in some degree lent themselves to the first persuasion, for he had not heard from the right hon. Baronet any sufficient acknowledgment of the general distress of the country. The right hon. Baronet's remarks went merely to consider the distress of the cotton trade in the districts surrounding Manchester, and his observations were calculated to impress the minds of his supporters with the conviction that things were not so bad there as they had been represented. The right hon. Baronet brought forward a statement of which he had just right to complain, because it was calculated to mislead his (Sir R. Peel's) followers, as to the state of trade in Lancashire. The right hon. Baronet told the House that during the first half of the present year 74,000 bales of cotton more had been taken out for home consumption than were taken out for the first half of last year. True, the fact was so; but if the right hon. Baronet had instituted a comparison between the first half year of this year, with the last half year of last year, he would have found that there had been a diminution of 145,000 bales; or if he had made a comparison between the first half of this year and the two half years of 1840, he would have found a deficiency of 105,000 bales; or if he had established a comparison between the first half year of this year, with the average of the last ten half years, he would have found a diminution of 35,000 bales. There were reasons, well known to all who were conversant with the cotton manufactures, why the quantity of cotton taken out for home consumption during the first half of last year was less than usual. But why did the right hon. Baronet go through all the statistics of the Board of Trade, for the purpose of finding out the state of the cotton trade? Was it to give consolation to those hon. Gentlemen who were ever ready to give him their support? Was it worthy of him, who was the Prime Minister of this great country, to stoop to such an expediency as that? Was there not danger in the adoption of such a course on the part of a Prime Minister? Might not those who looked to him as their authority, and who knew little of these matters themselves, say, "So long as we find the right hon. Baronet buoyed up with confidence in the state of the trade of the country, we need not be much alarmed



about it?" It was true that the imports of raw cotton had not much diminished since last year. But what had been the fact? The consumption of cotton had been from the spinning of the coarsest description of yarn. Looms had been thrown out of employment, and the spinners had been employed just to spin the coarsest yarn, by which the manufacturers were saved from a great loss, which they would have otherwise incurred. But did this give relief to the people? Did it give wages to the country? He did think that it would have been more becoming of the Prime Minister of this great country to look the matter fairly in the face, and to tell his followers and the country what was the condition in which we were really placed. The right hon. Baronet went into no inquiry as to the cause or causes of the distress which prevailed, except as to the condition of one branch—the cotton manufacture. And in reference to that branch, the right hon. Baronet said that we were suffering in consequence of alterations in the construction of machinery. The remark of the right hon. Baronet was, that sudden improvements in machinery threw great masses of the people out of employment; that while new inventions gave employment to women and children, they always displaced the labour of large masses of the adult population. "I agree with you," said the right hon. Baronet, "that ultimately improved machinery must give additional employment to those whose business it would be to make it; but in the interval the introduction of that improved machinery threw large masses of the manufacturing population out of labour." Now he denied the fact. The proposition was not true. He denied the proposition that machinery threw great bodies of the people out of employment. It was well known that improvements in machinery were very slow and gradual. It took a long time to bring them into work, and their introduction was so occasional and gradual, that they never could have the effect which the right hon. Baronet had attributed to them. Capitalists resisted the improvement of machinery as far as they could. Every body knew what difficulties patentees had to get capitalists to take up an invention. Every body knew the loss which the capitalist sustained by a new invention superseding existing machinery. The right hon. Baronet had evidently been misled by what took place during the riots of the Luddites; but he might as well argue that because men went about and

burnt wheat ricks, therefore wheat ricks were the cause of agricultural suffering. It was true that the stocking machinery was destroyed in Leicester and in Nottingham, in the years 1811 and 1812, but was the stocking machinery a new invention at that time? No: it had been in use many years. It was also true that many power-looms were destroyed? But were those looms a new invention? On the contrary, they had been in use upwards of forty years. The cause of this destruction of machinery was not that improvements in it had superseded the labour of large masses of the people, but because of the well-known Orders in Council. The spinning machine was invented by Arkwright, in 1767, long before it was brought into use. The power-loom was invented by a clergyman, in 1787, and in 1817 only 2,000 power-looms were in existence in Lancashire, and only half of those were employed. The right hon. Baronet admitted that ultimately machinery must give immense employment to the people, by adding vastly to the demand for labour. What was the history of the cotton-trade? Arkwright's machine was invented, as he had said, in 1767, and only 30,000 persons were engaged in the cotton manufacture; now, more than 1,500,000 subsisted by it. When had there been an instance of any craft carried on by hand labour, in which the growth was so rapid? What was the history of agriculture? No man could justly accuse the proprietors of estates of being too ready to adopt improvements in implements of husbandry. In many parts of the country they still used the plough that Cincinnatus followed. Did agriculturists give employment to increased numbers of the people? No; they annually sent thousands to the towns where machinery was in use. What were Manchester, Bolton, Stockport, and other towns but the creation of labour-saving machines? They were towns filled by persons who had abandoned their ploughs and spades for the spindles, shuttles, and hammers of a former generation. Pandering to the prejudices of the working classes on the one side, and soothing the ignorance of the upper classes by fallacies on the other, was surely unworthy of the Prime Minister of this country. He did not complain of the hon. Member for Macclesfield (Mr. Grimaditch); he was only following his vocation. But he did complain of the right hon. Baronet, and he sincerely hoped that he would in due in no more tirades against the employment of machinery. How

then (continued the hon. Member) ought we to be engaged now? Instead of looking out for something to cover and conceal the mischief, we ought to do what we can to uncover and disclose it, in order that we may apply a remedy. What can restore your trade and give employment to your people. That is the question. You talk of over-production. What a charge to bring against a people that they are over-industrious! I can imagine a case of a person going to a foreign country, barbarous and unimproved, and bringing word back that the inhabitants were idle, vicious, ignorant, and deficient in forecast; but what a tale would it be for such a man to speak of a distant people, and to complain that they were over-industrious—that they had accumulated too much—and that their fault was over-production. I do not ask either of the hon. Members for Macclesfield—they are privileged men—but I do ask the right hon. Baronet what is the meaning of over-production? It means that too much is produced; and what can be thought of a country which produces so much, and where the great mass of the inhabitants possess so little? Does it not show that there is some mal-distribution of production? It is because we have lost sight of that science which teaches the right distribution of wealth. We have adopted the steam-engine, and have employed it in every possible way, but we have lost sight of the great philosopher who was contemporary with Watt, and who told us how the wealth to be acquired by the steam-engine was to be distributed. Because we have lost sight of that discovery, the great mass of the people is at this moment so wretched. Those who are so fond of laughing at political economy, forget that they have a political economy of their own; and what is it? That they will monopolise to themselves the fruits of the industry of the great body of the community—that they allow the productions of the spindle and the loom to go abroad to furnish them with luxuries from the farthest corners of the world, but refuse to permit to be brought back in exchange what would minister to the wants and comforts of the lower orders. This, in one word, is the true reason why the mass of the people is at this time so wretchedly clothed and so miserably fed. As legislators, you have the charge of giving employment and sustenance to the people. Fault has been found with the wording of the motion. I can only say that my hon. Friend is willing to change it, in order that

no man may have a pretext for voting against it. All he wants is, that this House, before it separates, should pledge itself to inquire—that it may devise measures for the relief of the suffering population. You cannot give that relief by charitable contributions, by preaching, by collections, and I will prove it. You have heard from my hon. Colleague (Mr. Marsland) a pathetic statement of the present condition of the borough of Stockport; the population were formerly paid 6,000*l.* a-week in wages. How will you make up that sum by charitable contributions? How will you supply the vacuum if the whole cotton trade is to follow the fate of Stockport? 20,000,000*l.* were annually spent in the cotton trade. Does not this fact show the prodigious importance of finding employment for the people, as the only means of putting an end to the present distress? How many men are engaged in the cultivation of wheat? 6,000,000*l.* a-year would pay them all—not one-third of the sum paid in wages in the cotton trade. Open your eyes, then, to the real condition of the country; knowing that your own permanent interests are as one with the manufacturers, you will see the necessity of looking the difficulty in the face, and dealing with it not as a party question, but as a matter in which the welfare of the whole state is concerned. This might be said to be a Manchester question three years ago, but it is not so now. I see the hon. Member for Leeds in his place, and I challenge him to say whether the condition of Leeds at this moment is not worse than that of Stockport. We have not 40,000 utterly unemployed; our poor-rates are not so high; his borough must be one vast poor-house. I ask him whether charitable contributions will be sufficient, or whether something else must not be done to meet the growing evil? You may talk of machinery, but go into districts where machinery has not been improved for the last 200 years. I ask the hon. Members for Nottingham, where there are no tall chimneys, no change of modes of working, but where they pursue the plan pursued 240 years ago, what is the condition of that town? There has been no change of fashion to make a difference, for there has been no change of fashion in stockings, excepting that it has become the fashion to wear them all over the world. Yet the condition of Nottinghamshire is worse than the condition of Lancashire. But if I were to point to one place, which is in the most

deplorable, the most hopeless state, I would say it is Hinckley;—there there are 1,500 stocking frames, and only 21 fully employed. Benefit clubs and associations of every kind have been broken down, and the place has been given up to pauperism. The locust swarms are spreading even over the land, and the poor-rates in the neighbourhood, I am told, are 1*l.* per acre. Let country gentlemen take this as a warning. The locust swarms will spread rapidly, and the land will have to maintain them. I tell you that I believe before we meet again, several other large towns will be given over to pauperism, and the people must be fed by the surrounding districts. Let us look, then, at the pottery districts. The hon. Member for Macclesfield will rejoice to hear that they there work with the same machine which was in use in the reign of the Pharaohs. It is as old as the time of Moses, and let that console him. I apprehend that at no period of its history was the pottery trade so severely depressed as at present, its prospects are not only cheerless, but hopeless. Go into your mines—your collieries; you have heard how they work them; there has been no great improvement of machinery in them, and what is the state of the mines of Staffordshire? There are 25,000 utterly destitute of employment. I am informed that in the time of the Orders in Council they were prosperous compared with their present condition. Go to the glass-cutters of Stourbridge and Warrington, or to the glovers of Yeovil, and you will find the same. If there be one part of the country better off than another, it is where the best machinery is in use; I mean Lancashire, where the working classes have for several years been living at the expense of their employers. [Cheers from Sir R. Peel.] The right hon. Baronet cheers me; why then did he make such indirect allusions to machinery? True it is that he invests his remarks in honied phrases, very satisfactory to those who are sitting behind him, but, on the one hand, he panders to the working classes, and on the other, the tail end of his party rejoices in the delusive consolation he affords them. I know at this time a place where 100 wedding rings were pawned in one week to provide the owners with bread. Men and women have subsisted only upon boiled nettles; and in the neighbourhood with which I was originally connected in business, Burnley, the starving people dug up the putrid carcase of a cow, rather than die of hunger. [Cries of “oh! oh!” and disapprobation.] I

know by that groan that Gentlemen do not believe it. I wrote to a trusty man, a schoolmaster, to ask if the report were true, and he sent me not only his own attestation, but that of many of his neighbours. The multitude dug it up, carried part of it away for food, and the farmer was obliged immediately to bury the remainder in order to get rid of the effluvia. Another case occurred in which the carcase of a dead calf was carried away for food. [“Oh, oh!”] You may well cry “oh, oh!” and groan. If you believe these statements, why do you sit here and refuse to apply a remedy? From these individual cases you may picture the condition of the whole mass of your suffering fellow creatures. You may tell me that the people have the Poor-law. So they have; but, thanks to their spirit, they would rather live on nettles and on garbage, than go into a union workhouse. Is this state of things to be left till the winter? We want inquiry, that Gentlemen on both sides may know the truth, and apply a remedy. I do not wish to mix up the Corn-laws with this question; I care nothing for the Corn-laws, if you can provide me with a better remedy. The noble Lord, the Member for North Lancashire, might reasonably be expected to show some sympathy for such suffering, but he doubted whether the repeal of the Corn-laws would afford the expected benefit. The noble Lord told us that the Americans took as much again from us in the last three years as formerly. [Lord Stanley: I beg pardon, I said no such thing.] Perhaps I am reversing what fell from the noble Lord, but his commercial views, I own, are rather embarrassing to me. He said that the Americans sent over 2,000,000*l.* more than they took from us. Their difficulty was not in sending commodities to us, but in taking returns from us. The noble Lord has yet to understand that foreign trade is reciprocity, that it consists of nothing but barter; and before he indulges again in a speech (to the eloquence and reasoning of which all must listen with pleasure), I advise him to make himself practically acquainted with the subject on which he talks. As a statesman, he could not be better employed than in improving himself in practical information. I have heard him both at Lancaster and here, and on both occasions he showed himself pre-eminently ignorant on commercial matters. He told us the other night that we must excuse him on such topics, as he was not accustomed to address the House upon them; this is certainly true,

and I think the right hon. Baronet exercised a sound discretion in undertaking to speak for him on various occasions. The noble Member for North Lancashire, where distress is so severe that the people are subsisting on nettles and carrion, ought to know whether the people can or can not be supplied with food from America. From an acquaintance with the trade on both sides the water, I may state, as my firm belief, that when a repeal of the Corn-laws takes place, the tidings of such a happy event will be instantly followed by a revival of trade: it would be at least the beginning of a new era in which employment would be found for the people. I know no other means for producing such a result, and it seems to me that all Members for manufacturing places have an important duty to discharge before the House separates. I cannot give a stronger proof of the perils which I think surrounds us, than to say that I shall feel it my duty to stop the wheels of Government if I can, in a way which can only be justified by an extraordinary crisis. Nothing can warrant a Member in stopping the supplies, but such a conviction as weighs at this moment upon my mind. I wish to compel Government to enter into the question with a full conviction of its importance. At present it is my solemn persuasion that they have not their eyes open to the truth. What was said yesterday by the mayor of Stockport?—that he could not be responsible for the peace of the place; and what said the chairman of the guardians of the poor?—That he would not undertake to support the starving people beyond three months. The right hon. Baronet knows that the state of Stockport is only a type of the fast-approaching condition of Bolton and many other places. I do not mean to threaten outbreaks—that the starving masses will come and pull down your mansions; but I say that you are drifting on to confusion without rudder or compass. It is my firm belief that within six months we shall have populous districts in the north in a state of social dissolution. You may talk of repressing the people by the military, but what military force would be equal to such an emergency? Imagine the case of Stockport destroyed, and eaten up by its poor, what are you to do with 60,000 starving people? How are you to deal with a population formerly earning 500,000*l.* a-year? The military will not avail. I do not believe that the people will break out unless they are absolutely deprived of food;

if you are not prepared with a remedy, they will be justified in taking food for themselves and their families. I do not threaten you with this state of things. [*Cheers.*] I do not know whether I understand that cheer; but I do not mean to tell you anything in a menacing manner. I tell you what is the present state of Stockport, and I call upon you to realise in your minds the consequences of a refusal to inquire. Will you tell me, in reply, that the 60,000 people in Stockport are to lie down and die? If they do, their deaths will lie at the doors of the Government; but, as Englishmen, they ought not to be permitted to starve. Is it not important for Members for manufacturing districts on both sides to consider what they are about? We are going down to our several residences to face this miserable state of things, and selfishness, and a mere instinctive love of life ought to make us cautious. Others may visit the continent, or take shelter in rural districts, but the peril will ere long reach them even there. Will you, then, do what we require, or will you compel us to do it ourselves? This is the question you must answer. The inhabitants of Stockport come here with clean hands, for what does Commissioner Twisselton, in his report say of their condition?

"We find in connection with the large earnings of the operatives engaged in the cotton trade, industrious habits of no common stamp, regulated and secured in great measure by the peculiar nature of their employment; and a degree of intelligence already much in advance of other classes of the working people, and still growing with the general growth of popular education. It appears, also, that when in the enjoyment of prosperity, they avail themselves to a great extent of the advantages of provident institutions, and that partly through this, and partly through other circumstances equally creditable to their character as a working people, they avoid almost altogether dependence upon poor-rates. On the occurrence of general distress, we find them neither a pauperised mass nor readily admitting pauperism amongst them; but struggling against adversity, beating far and wide for employment, and, in many cases, leaving their country for foreign climates rather than depend upon any other resources for subsistence than those of their own industry and skill. Those among them, who have not been able or willing to leave a place where at present their labour is of little or no value, have been found enduring distress with patience, and abstaining, sometimes to the injury of health, from making any application for relief."

Such was the population, which came

to the House and made this claim at his hands, and what do they ask? They do not ask for charity. They do not ask me to come there to obtain a mitigation of the Poor-law. I gained the popular support in Stockport, without pledging myself upon the Poor-law. What the people want, is the means of exercising their industry. They abhorred pauperism as much as any hon. Gentleman in this House. They simply said, "leave us alone." And I say, Sir, that whatever misfortune befalls such a people lies at the door of the Government and of this House, and the people are not responsible for it. I am therefore entitled to ask and to insist upon an answer from the Government to the question. "What do they intend to do for the people?" I am entitled to ask whether they are to be satisfied with no better report than the one given by the right hon. Baronet that he expects a good harvest. It is true, Sir, that some of our best workmen are going abroad. If the best go, they leave the worst behind. The manufacturers are going also, increasing the burden for those who remain. Have hon. Gentlemen considered what must be the effect of this emigration upon this country? I can see a remedy for all other evils, but I can see no remedy for this. We are sowing the seeds broadcast for a plentiful harvest of workmen in the western world. Thousands of workmen are delving in the mines of the western continent, where coal can be raised and sold at 1s. a ton. We are sending there the labourers from our cotton manufactories, from our woollen, and from our silk. They are not going by dozens or by scores to teach the people of other countries the work they have learnt—they are going in hundreds and thousands to those states to open works against our own machines, and to bring this country to a worse state than it now is. There is nothing to atone for the system which leads to this, and if I were to seek for a parallel, it would be only in the revocation of the edict of Nantes by Louis 14th, or the decree of the Duke of Alva in Belgium, where the best men were banished from their country. I see nothing why we should not take good measures from the right hon. Baronet, or why we should prefer those of the noble Lord the Member for London. The noble Lord is called the leader on this side of the House, and I confess that when I first came into the House I was inclined to look upon him as a leader; but from what I have seen, I believe the right hon. Baronet to be

as liberal as the noble Lord. If the noble Lord is my leader, I can only say that I believe that in four out of five divisions I have voted against him. He must be an odd kind of leader who thus votes against those he leads. I say this to show that I am actuated by no party spirit. I will take measures of relief from the right hon. Baronet as well as from the noble Lord; but upon some measures of relief I will insist. I do not believe that any one would ask this of the right hon. Baronet from any wish to supplant him; no rational man would wish to supplant him. Seeing the position in which he is placed, I do not know any one who would wish to jump into his seat, even if he had the power. I give him credit for the difficulties of his situation; but this question must be met, and met fully; it must not be quibbled away; it must not be looked upon as a Manchester question; the whole condition of the country must be looked at and faced; and it must be done before we separate this Session.

Mr. Ferrand told the House that those hon. Members who were connected with the Anti-Corn-law League were anxious for a repeal of the Corn-laws, that they might increase their own resources and diminish the wages of labour; and that the working classes were of his own opinion. In passing, however, he must apologise to the hon. and learned Member for Liskeard for an expression he used the other evening, and which the hon. Member considered personal to himself, but the hon. Member should recollect that the word "humbug" did not fall from his (Mr. Ferrand's) lips for the first time in that House; it was first used by the hon. and learned Gentleman himself. In reference to the question immediately before the House, he was surprised that the hon. Member for Greenock had brought forward such a motion for the purpose of relieving the distresses of the working classes, because he agreed with the right hon. Baronet at the head of her Majesty's Government, that if any benefit could result from the present motion it must be by its merging in the same description of relief as he had brought before the House the other evening, the grant of public money, and he was the more surprised at the hon. Gentleman bringing forward a motion for a committee to inquire into the distress when, alas! it was too well known to the House. What measure could result from the committee except a grant of public money? Was this the time for a com-

mittee? Had not hon. Gentlemen opposite supported the right hon. Baronet in all his measures? ["No."] Had they not supported his tariff? and yet before they had tried his measures they came down to the House with a factious opposition. Let those hon. Gentlemen recollect that the right hon. Baronet had sacrificed a great deal by bringing forward his measures, and that he had caused many of his political friends to look upon him with a lukewarm feeling. They (the Ministerial side) had sat silently by, whilst the Opposition had received those measures with hearty cheers. Be just, be generous. Try those measures. Let the right hon. Baronet stand by them, and if they failed let him fall. Let the hon. Gentleman opposite recollect that he only took up his position when they were driven from office by the unanimous voice of the people of this country. He (Mr. Ferrand) for one did not think that those measures would be of any great benefit, but the right hon. Baronet had a right to fair play, and the people said that they should have it. Did hon. Gentlemen mean to say that the country was with them on the Corn-laws? Did they mean to say that the Anti-Corn-law leaders now sitting in London, were deputed by the masses of the people, as their representatives, or that they had met with any hearty response in this metropolis? He said that they came here on their own authority, and that they had met with no feeling of hearty support in the metropolis. They had no aid or countenance, except from themselves in their own room. What had taken place at their meetings? Had not a gentleman who called himself a minister of the gospel declared to the right hon. Baronet at the head of the Government that his life might perhaps be sacrificed—[*Dissent.*] Had not a minister of the gospel said this? [Mr. Hindley: No.] Did the hon. Member rejoice in the shedding of blood? ["No."] Then why did he laugh? [Mr. Hindley: I never have.] Did not this gentleman say that a respectable person had informed him he was one in a hundred ready to cast lots to shed the blood of the right hon. Baronet? ["No, no;" and, "Why not name?"] He said it was true; and not only was it true, but it was reported in their own papers. Go and search the journals. If they chose to deny this, why did the hon. and learned Gentleman the Member for Cork (Mr. O'Connell) call upon them to read these speeches? He told them that the Corn-laws had not

caused this distress, but the carrying out of their own principles of free-trade. How had they commenced? By the export of machinery. Let them recollect that a whole generation had been swept from the face of the earth since the restoration of peace, and that foreign governments knew what was due to their citizens as well as our own Government what was due to us; and if we had been such ignorant asses, to use the expression of the hon. Member for Oldham, as to let our machinery go abroad, could we wonder at the result? How had this gone on? As had been said by the noble Lord the Member for Tiverton, this machinery was now in operation in Europe, and we had to seek a market for our exports in the deserts of Arabia or in Afghanistan. These were opinions in which the people of this country were not likely to coincide. He held in his hand a report of a meeting of the working classes (at which it was said that 5,000 persons were present), and which had been held for the purpose of discussing what steps ought to be taken to relieve the existing distress, and that report, referring to Mr. Fraser, in whose opinions he believed the working classes did coincide, said—

"That whilst in the course of his speech he attributed the distress to class-legislation, and spared neither Whigs nor Tories from censure, he especially condemned the Anti-Corn-law League party, and told the people they might depend upon it that if the Corn-laws were repealed wages would be lowered, trade would not be increased, and the working man would not be benefitted to any material extent."

Hon. Gentlemen opposite in attempting to carry out their principles, never attended to the ruin that must result to the agricultural party, and the frightful distress that must befall them if those principles were successful. Let him call to their recollection the correspondence that took place between the manufacturers of Lancashire and the Poor-law commissioners. In that correspondence Mr. Ashworth had stated that a gentleman had informed him that 20,000 hands would not be too many for the neighbourhood of Staleybridge alone; that machinery and mills were springing up on all sides, and that there would be such a burst of trade throughout the land as to make us one mass of manufacturers. This was in 1837. Mr. Beard said, that strong boys and girls were wanted to work the machinery; that adults would not be received, and that the former were required because they would assist in keeping down

the price of labour. Mr. Ashworth likewise said that that was the object. There, then, was the secret. You had glutted the market, you had destroyed the trade of the country, you had killed the goose that laid the golden eggs; and yet, in this year of 1837, in this period of your prosperity, when you were amassing immense fortunes, the Corn-laws were in existence. Hon. Gentlemen, in endeavouring to destroy the agriculturist, should recollect that it was the agricultural interest that had supplied the immense wealth which had protected our colonies, found ships to fight our battles, and saved us from ruin. That interest had not complained against you, and as long as you had not been bowed down by a false capital you were satisfied to allow the agriculturist to live in contentment; but now that you had adopted measures which were working your own ruin, you wanted to pull down the agriculturist along with you. In Bradford, in Yorkshire, there were combing machines, which only required to be worked by four girls and two boys; and these machines would comb as much wool as 200 combers. There was a loss of work wherever these machines were sent up to 200 men. Ask the iron-founder the cause of the depression of trade, and he would tell you that his works were in Belgium. Ask another, and he would say that it was because of the exportation of machinery. Go to Sheffield and Birmingham, and you would find that it was owing to the frauds of the manufacturers, frauds which had been carried to such an extent that the manufacturers dared not print their name or the place of manufacture at the end of their goods. The shopkeepers would tell you it was owing to the truck system. The English merchant would tell you that it was because the foreigners were now making goods which he used to supply. He believed that we were now reaping the results of our own madness and folly. Hon. Gentlemen had no right to charge the agricultural interest with being the cause of the distress. They should recollect, that the home market was now found only in the agricultural districts, and that if they were destroyed, our home trade would be destroyed also. If he were asked what was the cause of this depression of trade, he should say, that it was because the Legislature had never granted protection except to capital. The markets had been glutted—capital had been protected—but the labourers had been starved. The working-classes had a right

to demand protection, and they had no idea of a repeal of the Corn-laws. They asked the Government of this country to protect their labour, and let him tell the Government and the country that it was the duty of every Government so to legislate that every class should be protected—that they should be made to minister to the wants of each other, that every man should be happy in his own home, and then, if there was any surplus of labour, it might go to the dependencies of the British empire, and to the wants of our own colonies. That Government must fail which did not make protection the polar star of legislation.

Mr. C. Villiers was induced to present himself to the House by the speeches of the hon. Members opposite for Macclesfield and for Knaresborough; and he must say that he had heard nothing from either of those hon. Members which was not a mere recapitulation of what had already fallen from hon. and right hon. Gentlemen of more importance in that House than either of those hon. Members. The only answer which had been attempted to be given to the arguments brought forward by hon. Gentlemen on that (the Opposition) side of the House, had been given by those hon. Gentlemen, and he hoped the public would read their speeches, and would understand that that was the only answer which was intended to be given to the statements made in reference to the condition of the people of this country. For his own part, if he wanted any reasons for supporting the motion of the hon. Member for Greenock, it would be those upon which the hon. Gentlemen opposite founded their opposition to it. Two millions of the people of this country, who had petitioned that House, had declared that they entertained but one opinion as to the causes of distress, and the remedies to be applied; and three millions and a half had petitioned, who possessed the same views as to the causes of distress, but differed with regard to the remedies to be applied. When this state of things was found to exist,—when so many came forward concurring in one complaint, it was not too much, he thought, to ask the House to pause before it prorogued, and to see what were the real causes of the miseries to which the people were exposed, and how those miseries were to be removed. The Government appeared to believe that there was no ground for alarm:

and he said, God grant that the people might continue to be quiet, for their patience and endurance hitherto had been beyond all praise, and confusion would operate not to produce for them comfort and an improved position, but increased wretchedness: but every day, every hour, brought fresh accounts of new distresses, and increased the fears which had been already but too well excited. The wretchedness of the condition of the people was acknowledged, but instead of any remedy being attempted to be applied, they heard nothing but lackadaisical phrases of sympathy, and vague generalities, and hopes for better times. He said that the people were entitled to demand the application of a remedy, for the cause of their distress was that by the operation of monopoly, and by the artificial enhancement of the price of food, the market had been destroyed. The hon. Member for Knaresborough professed to tell the House what were the wishes of the people—that they knew nothing of their real desires. But he begged to ask, were they the representatives of the people or not? He had already stated the number of persons who had petitioned the House, and they declared that they viewed the Corn-laws as the cause of their poverty, and they asked for their repeal, and that they might possess some further power in the State. The hon. Member for Knaresborough opposed the repeal of the Corn-laws, and opposed the proposition that the people should have increased power, and yet he told them that he was the representative of the people. The hon. Member knew nothing of the opinions of the working classes; and by the votes which he had given he showed that he knew nothing of their interests. The hon. Member appeared to be constantly assuming that the British people wanted alms,—that they were by nature and by constitution beggars. He, however, by reference to his own acquaintance with the working classes, knew that there was nothing in the world which they would not endure rather than become paupers. They wanted to have their labour free—to have their rights; and when they saw that, for the purpose of swelling their own fortunes, the Members of that House refused their demands, they felt that they were entitled to call upon the House to give them in reality those rights which the Constitution had conferred upon them.

He had attended a public meeting that day, and if the hon. Member for Knaresborough wished to know where, he begged to say that it was in Palace-yard, and he had met there a great number of persons deputed by the inhabitants of districts whose numbers amounted to millions, to come to London and see what was possible to be done, and at that meeting the conclusion had been arrived at, that hon. Members on that side of the House should continue the discussions on this subject in that House so long as it was possible for them to do so, in order to procure the removal of those restrictions upon commerce, which had been so often pointed to as the causes of the existing deplorable distresses of the people. What was the state of things which presented itself to their notice? The people were starving. What was the remedy? It was food. The people were in a state of actual starvation, and they were told that it was not food that they wanted, but work. He said it was food they wanted, and he demanded that they should have the means of getting food presented to them. They possessed the power to do so in their own skill—there was abundance of food for them all in the world, and he said that the means of procuring that food should be thrown open to them. The real position of the people of this country was this: the people stood with outstretched arms, anxious to exert themselves, and to supply their foreign neighbours with the produce of their labour, but although those neighbours were equally desirous of availing themselves of the superiority of their skill and of their industry, the Government stood between them and relief. Such was the state of the country as described at the meeting of that day, and it had been stated, that throughout the manufacturing districts the most anxious demands were made upon the guardians and overseers to supply the wants of the people, even in spite of the law. He had received a communication from Bilston, a district containing 700,000 inhabitants, confirming this statement, and showing that more of opulence and character joined in the general prayer.

“We, the undersigned inhabitants or rate-payers of the township of Bilston, truly aware of the very great distress produced among the working classes of the district, by the unparalleled stagnation of trade, especially the coal and iron trades, feel it our duty to urge upon



the board of guardians, in the strongest terms we can, the necessity of affording a liberal out-door relief to the unemployed and their families, during the continuance of the present depression. We cannot but feel deeply the lamentable condition into which numberless poor families in the township are at this moment plunged, a condition very closely bordering upon actual starvation; and we therefore sign this memorial, in testimony of our willingness to bear the burden of any extraordinary rates which the liberality we now urge upon the board may occasion."

The people believed that their condition was solely attributable to the refusal of a free-trade with America, and he was convinced that if the House gave them a free-trade with the United States, they would have no more complaints such as had of late been most reasonably and justly circulated. The people to whom he had alluded depended on the trade with the United States and the Brazils: in all the schemes which had been introduced the Government had steered steadily clear of any measure which would afford any relief to persons who traded with those countries. He declared his belief, that they could prove, that the repeal of the Corn-laws would afford that relief which was desired, and he said this advisedly. They were prepared with a remedy, and they said, that that remedy was the repeal of the Corn-laws. The noble Lord, the Member for North Lancashire, had said, the other night, that the United States possessed no capabilities to consume the productions of our manufacturers, but he said, let them try the question—let them go to the proof—and, until they did so, he should remain of the belief, that they did possess those means and capabilities which the noble Lord had denied. Were hon. Members aware of the capabilities of the United States? There were nine western and southern states, likely to call for the manufacturing productions of this country, which consisted of 200,000 square miles, and contained 6,000,000 of inhabitants, and in these states, not more than 200,000*l.* were invested in manufactures. The only means which they possessed of obtaining the manufactures of other countries was by exchanging the produce of the land. The hon. Member for East Somersetshire had told the House on the debate on the tariff—

"That the *New Orleans Price Current*, in anticipation of the new tariff, had published an

article in which the writer observed that New Orleans was the outlet for nine important states of the Union, containing 450,000 square miles of rich cultivable territory, in which the manufacture of cotton and other clothing, was almost entirely unknown. The resources of this great country wanted nothing for their full development, but that their natural market, England, should be thrown open to them."

He must refer for a few moments to the statistics of America, to show that the views which were entertained on this subject were no mere phantom—no vision—but that, if the trade with that country was opened, all the misery and wretchedness which now prevailed, must cease. The noble Lord had said, that America could not consume our goods. He would read a communication which he had received from a merchant of Liverpool upon this subject, and which he thought would completely negative this suggestion:—

"I will confine my views," said the writer, "more particularly to those regions which are especially adapted in soil and climate to the growth of wheat, and which, being in the vicinity of the Lakes Ontario, Erie, and Michigan, can now convey their productions to the market of New York. The Erie canal, of 363 miles in length, opening a navigable communication between Lake Erie and the Atlantic, was completed in 1829. It has several lateral branches. This canal enabled the productions of a region extending, in New York, to 15,000 square miles; to 3,000 miles, in Pennsylvania; 10,000 in Ohio; 5,000 in Indiana; 8,000 in Illinois; 30,000 in Michigan; and thus opened a channel for the productions of 90,000 square miles of a region especially adapted to the growth of wheat. The Ohio canal communicating from Lake Erie to the Ohio river, was only completed in 1833, and opened a channel for the whole state of Ohio, of 40,000 square miles, and the fertile countries bordering the Ohio river to Lake Erie. It is, therefore, safe to say, that upon the United States side of the great lakes, there are 100,000 square miles, from which not one bushel of wheat was conveyed to a maritime port previous to 1825, which can now send their products to New York."

This correspondent dwelt much in his letter upon the obligation which has of late years been imposed upon the Americans of becoming manufacturers for themselves. He should now read for them the evidence of a person who had been specially sent from the United States, with the intention of showing the people what were the resources of that great country—what was the capacity of the United States to supply England with the food that it re-

quired, and to take from it those goods with which England could supply it. [The hon. Member read the communication, the writer of which dwelt at great length upon the corn cultivation of the States being altogether impeded by the uncertainty of the trade with England.] The noble Lord opposite had once referred to the state of trade with America, and had once contended that it could not be increased in amount. He might be permitted to read the opinion of an eminent landlord in America—one, too, who had taken a very great interest and prominent part in the abolition of slavery. This gentleman, Dr. Bailey, of Ohio, had thus written—

“He observed that there was no movement in the history of the world, since the abolition of slavery, that would be more important in its consequences, than the opening of the trade between America and England, as a means of greatly benefiting the people of both countries.”

He was sorry to be obliged to weary the House with reference to these documents. Though they might feel exhausted with the debate, and wish it brought to a conclusion, yet they were to remember that what was said there would be read to-morrow, not merely by hundreds, but millions of people, with the hope that there would be given to them a chance of relief. It was for the purpose of consoling them that he produced these documents, for they must show to the people that much could be done for them. He had now to read for them an address from the state of North Jersey, one of the states by which wheat could be grown to supply the millions of this country. It ran thus :

“This state represented its extent, its facilities for supplying England with corn, and that the debt it contracted was for the purpose of making roads to bring agricultural productions to the port most convenient to transport it to Europe.”

The facilities and the resources of the country for supplying the world with food were confirmed by M. de Tocqueville. Now, on what ground, he asked, did they shut out the people of England from such resources? Why, he asked, should this be done, when property was daily deteriorating in value—when the state of the country was admitted on all sides to be most lamentable. This was a state of facts which he said no one dared deny—no one

dared to question. They knew it was true—they knew that abundance of food might come from America. They could not, dare not deny this, and yet they shrank from giving an answer when the people called upon that House to do them justice. He said that if the people endured this, it was most fortunate for those opposite. He did not understand why the people were so patient. He could only attribute it to this, that there was a difference of opinion between them as to the means by which they might obtain relief. There was that difference of opinion, and it was only on that, that those opposite could depend; but if the middle and the working classes were to unite together to-morrow, he asked where would be the power of those opposite to prevent it? If the middle and the working classes united together in condemning their course—in condemning their law—and calling upon them to adopt some efficient means to give the country relief. Those who objected to this might tell them that their reason for not making a charge, such as was required, was, that they were afraid it would add to the distress of the country, by taking from the agriculturists that law which now protected them. He did not believe that the agriculturists sanctioned much their proceedings. He did not believe that the agriculturists thought that by their law their interests had been very carefully protected. At an agricultural meeting in Essex, some sentiments had been given utterance to, which he would quote. [The hon. Gentleman read extracts from a speech delivered on the occasion alluded to, in which the speaker stated that he believed that the Corn-laws were enacted for the benefit of the landlord, not of the farmer. The duty imposed was not sufficient adequately to protect the farmer, although it was sufficient to keep up rents, and it would ultimately tend to the farmer's ruin.] He knew the feelings of the farmers; they were quite aware that they had no interest on the Corn-laws, but they were afraid that the landlords would keep up the rents after the prices had fallen. If they told the farmer that a change in the system of Corn-laws would not hurt him, all his fears would be allayed, but when it was stated in this House that it was for the sake of the farmers that the Corn-laws were imposed, the agriculturist repeated the cry, and then they brought this echoed sentiment forward as an origi-

nal opinion of the agriculturists. It was important to know who were really interested in the Corn-laws. The people required some account of how they came into their present position, and they (the Ministry) must satisfy them that the remedy which he proposed was not the proper one. Every class, mercantile, manufacturing, and agricultural, had been deceived by the new Corn-law, and were calling out against it; and the House must tell them the reasons why they imposed it. Every argument in favour of the Corn-laws had been proved to be false; there was not a single argument in their favour which time and circumstances had not proved to be false. All the predictions made as to this effect had failed. It was said that they would have the effect of keeping up wages—that they would steady the trade in corn. But was the state of the country now what it had been? Would they defend the Corn-laws by pointing to the accomplishment of any of those circumstances which it was predicted that they would bring to pass? The home trade had been lost by means of the Corn-laws; and, instead of being independent of foreign countries by ten years or so, they were painfully made to feel their complete dependence on foreign countries. When the Corn-law was imposed, its advocates should have remembered that this country was limited, but that the population was fast increasing. There was a tendency in the people of all countries to increase beyond the means of sustenance, and it should have been the first care of the rulers of this country to be watchful that food should be commensurate with the extending wants of an increasing population. He believed that the history of human error and human selfishness showed no instance of greater folly and depravity than that of increasing the price of food by decreasing the quantity. They had passed a similar law this Session, God only knew for what good purpose, for all the admitted faults of the old system were to be found existing in full vigour in the new. Indeed all who knew the old law were quite aware that the new system would effect no real change. He would not have troubled the House so long were he not impressed with a sincere conviction that the state of the country was such as to render some change absolutely necessary.

Mr. Roebuck said, he felt under some embarrassment on this occasion, because, from the peculiar manner in which the motion was worded, it was impossible for him to give his assent to it. Yet, knowing what the intentions were with which the hon. Member for Greenock had brought it forward—knowing his usual kind feeling on behalf of those whose interests he now advocated—knowing also what was the real object of the hon. Member—that of instituting an inquiry into the distress of the country, in order to ascertain whether it was possible by any legislative enactment to remedy it—knowing these things, he felt that it was utterly impossible for him to vote against the motion. It was only fair, in proposing a motion of this sort, to consider what would be the conduct of the opposite party—and more especially of the Minister of a great country like this—were an assent to be given to such a proposition. That motion implied, that the Minister of the Crown should provide sustenance and labour for the people. Now, that appeared to him to be a proposition so fraught with mischief, and so dangerous in its bearing, that he could not possibly be a party in any shape to its being agreed to. Why, if the right hon. Baronet were to have come down and said that he was about to accede to the proposition of the hon. Member for Greenock, he would, in his opinion, have shown himself totally unworthy of the station of First Minister of the Crown. He would have shown that he was either cajoling the public or deceiving himself. For this reason, as the motion was worded, he could not give it his support; and he thought that Gentlemen on his side of the House had some right to complain that a proposition of this kind should have been brought forward at such a time, when it was allowed on all hands that great distress existed in the land, and when they were anxious to inquire into that distress, with a view to ascertain whether some remedy could not be devised. He repeated, that he thought that hon. Gentlemen on that side had a right to complain that any one on that side should, in haste and without consultation, or care for the feelings of others, have come forward with a proposition which of necessity involved them in this difficulty—either that they must support that which they felt to be fallacious and improper, or that they must allow it to go forth that they themselves were opposed to an inquiry into the distress, and that they were not really friends of the people. At such a

moment as the present it was a very awful thing to discuss such a question as that raised by this motion, and most awkward to be placed in such a position, considering the peculiar situation of this country. They had heard the speech of the hon. Member for Stockport—a speech fraught with a more melancholy instruction than it had ever been his lot to hear—a speech in the incidents which it unfolded—more deeply interesting to the people of this country he had never heard in his life; and those incidents were set forth with great ability and great simplicity, and, with one or two exceptions which he would presently point out, without exaggeration. With the full recollection of the facts unfolded by that speech, he doubly felt the position in which he was placing himself, and therefore it was that he did ask hon. Gentlemen opposite really to enter on the consideration of this question, not as it was raised by the terms of the motion, but as it must ultimately of necessity come to be decided by that House, if not to-night, at all events at some time ere long. For, do what they might, they could not, sooner or later, help looking the danger in the face. He did hope hon. Gentlemen would enter upon the question in this spirit; and he wanted the House, as far as possible, to lay aside all passion in discussing it, as he would himself endeavour in his observations to avoid saying anything that would be calculated to excite such feeling. For a moment let them look upon the subject as brethren met together to consult the dearest interests of the greatest nation of the earth—of a vast multitude of human beings, whose deepest interests were at stake, whose sufferings by such deliberations might be alleviated. Let them reflect that their deliberations might not merely affect those vast multitudes, but also their posterity, and that the case was one in which the voice of even one individual might influence the future prospects of millions. He was ready, however, at once to acknowledge that there had been great exaggerations with respect to one portion of the subject. Some hon. Members assigned causes for the distress far different from those assigned by others. Some laid the whole distress upon the Corn-laws. In that he could not agree. But at the same time, while he said this, he begged the House to bear in mind that he was considering solely the causes of the distress, and not the remedy. Now, allowing for the moment that the Corn-laws were not the sole cause—allowing to other causes all the

efficiency which the right hon. Baronet himself could desire—allowing that the alleged imprudence in the management of trade had some influence—allowing all the efficiency the right hon. Baronet could desire to the present state of our trade with America and to the internal state of America itself—allowing for the influence of our relations with foreign countries as affecting the question of peace or war—allowing to these causes all the efficiency which the right hon. Baronet could possibly desire, still it nevertheless must be admitted that there had been and was a great crippling of our energies by any course of legislation which narrowed the field of the markets which received our produce. That being his general proposition, he would next come to a specific proposition, which was, did the law that restricted the importation of corn narrow the markets for our produce? First, with regard to his general proposition. He was sure that no man who looked dispassionately at the state of the country would, for a moment, say, that he had been exaggerating the causes of the distress; and, with the most perfect confidence as to the answer, he took upon himself to ask, was not the narrowing of the markets a cause, and a powerful cause, of the prevailing distress? Before he looked at the remedy, he desired to put this question—were the Members of that House so agreed as to the causes of the distress that they could, at such a moment as the present, say, that they would not inquire into the causes of that distress which pervaded every part of the community? He wished to call the attention of the House to the time at which this distress took place, for the time was most important. He would ask when they saw the evil, when they saw it in its intensity and in its extent, spreading over the whole land, was it consistent with prudence—was it consistent with common sense, at such a time, to refuse inquiry into the causes of that which confessedly was so important—into that respecting the causes of which they were not agreed? He would now pass to the remedies for those evils, and he should begin by admitting, that a great portion of the distress was far beyond the reach of any legislation. He found fault with the resolution, because it attempted to deal with matters wholly beyond the reach of legislation. But though there was much which legislation could not effect, that formed no sufficient ground for saying that nothing whatever was to be done. Suppose there

was no such things as Corn-laws—suppose that trade was as free as the most strenuous free trader could desire, ought a resolution to be passed which was neither fair nor true? It was on grounds, then, such as he had been suggesting, that he called on the House to remember how important it was to separate that which could be done from that which was wholly impracticable. One thing was clear—that no Legislature could support a people—the people must support themselves, if ever they were to be supported. But there was one cause of the public distress which was quite within their grasp, and that was the law which regulated the importation of foreign corn. He would not say that the repeal of the Corn-laws would relieve all the distress; but at such a time as the present he did think, that the causes of the public distress ought at least to form a subject of inquiry, and of deliberate and dispassionate consideration. The Corn-law was a measure which the House of Commons could repeal; but let it not be said that the influence of the landed interest interfered to prevent justice being done to the manufacturing interest. Let it not be said that the landowners of the House of Commons, and they alone, had withstood a repeal of the Corn-laws. Suppose a heated demagogue went down to one of the most distressed of the manufacturing districts—to Stockport for example, of which the hon. Gentleman who represented that borough had given so affecting a picture—and that he were to tell the assembled and starving multitudes that the continuance of the Corn-laws was the sole cause of their sufferings, that the landlords in Parliament resisted the repeal of those laws, and that they not only refused to listen to any proposition for repeal, but declined to enter into any inquiry—such a man would tell the people that to refuse inquiry in the present state of the country was tantamount to slamming the door of the House of Commons in the face of all those who had sent Members to that House. Looking then at the circumstances in which they were placed, he would appeal to the prudence, the generosity, and the good feeling of the Members of that House. He would ask them, was it wise thus to separate two classes which ought to be united, to divide those who lived by labour and land, from those who lived by labour and manufactures? He did not mean to say that there were not other portions of the Government measures which did not require revision; he would mention for example

the tariff, and the relations subsisting between this country and Brazil. But, without at present dwelling longer upon those topics, he should bring the few observations with which he had troubled the House to a close by saying, that before Parliament separated for the recess, he had determined to submit to their consideration a proposition affirming the general distress; when that was assented to he should propose to the House to enter upon an investigation of the causes of that distress, and at the same time to inquire if some remedy could not be applied.

Mr. Fielden moved the adjournment of the debate.

Mr. Wallace begged his hon. Friend not to press his motion to a division. He had before stated that he had no particular partiality for the wording of his motion, and he was willing to agree to any reasonable alteration proposed either by the hon. Member for Bath or any other hon. Gentleman. He was perfectly willing to leave out the latter part of the sixth resolution, or any other part of the resolutions. He wished the obloquy of hindering the passing of those resolutions, or of destroying their force to rest with others. The attention of the country had been directed to them, and they had been discussed in a manner which he had not expected. He was willing to alter them, but he hoped his hon. Friend would allow the House now to come to a decision upon the question.

Mr. Fielden said, he was unwilling that the debate upon this subject should close until he had had an opportunity of expressing his sentiments upon it.

Sir R. Peel: On Friday last I stated that great inconvenience would arise, as far as public business was concerned, by the delay of a decision on this question. At the same time, I did not complain that the subject should be fairly discussed, because I thought it would be for the public interest that the sense of the House should be taken upon it. It has now been debated for several nights; and last night hon. Gentlemen who had motions did not allow it to come on. It has been resumed to-night, and after a long debate, the hon. Gentleman finds out that his own proposition cannot be sustained in the shape he has presented it, and therefore he is willing that it should be withdrawn, that some other may be substituted. That was a very unusual course of proceeding. I hope, therefore, that the House will come to a decision. I think the hon. Gentle-

man ought to have acted in concert with those from whom he expected support. Upon the grounds of justice and fair discussion I think I am not asking too much in asking the House now to come to a decision upon the question.

The House divided on the question that the debate be adjourned:—Ayes 24; Noes 255: Majority 231.

#### List of the AYES.

Bowring, Dr.	Murphy, F. S.
Brotherton, J.	Pechell, Capt.
Callaghan, D.	Plumridge, Capt.
Cobden, R.	Ricardo, J. L.
Collins, W.	Scholefield, J.
Crawford, W. S.	Smith, B.
Duncombe, T.	Somers, J. P.
Ellis, W.	Villiers, hon. C.
Gibson, T. M.	Wallace, R.
Hindley, C.	Williams, W.
Holland, R.	TELLERS.
Hume, J.	Fielden, J.
Leader, J. T.	Johnson, Gen.
Morison, Gen.	

On the question being again put, Mr. Hindley moved, "That the House do now adjourn."

The House divided on the question:—Ayes 18; Noes 213: Majority 195.

Question again put.

Sir R. Peel said, considering the state of public business and considering also that the debate on this motion had now continued for a week, he must leave the country and the House to judge how far these obstructions on the part of hon. Members were justifiable. When he remembered that the hon. Member for Oldham had intimated his intention to avail himself of every opportunity afforded by the forms of the House to obstruct an important measure, if the hon. Gentleman did not give way, he should feel it his duty to do all in his power to prevent the adoption of such a precedent as the course now pursued would establish.

Mr. Wallace said, although they had been engaged on this debate for a week, several hon. Members were desirous of expressing their opinions on the subject; and he begged to remind the right hon. Baronet that it was his fault, or that of his supporters, that Monday and Tuesday were lost. He was willing to go to a division, but he would not withdraw his motion.

Sir R. Peel denied that it was his fault that this debate had not been continued on Monday; and hon. Gentlemen opposite had prevented the subject from being discussed on Tuesday.

Mr. Fielden moved that the debate be adjourned.

General Johnson seconded the motion.

Mr. B. Escott thought it would soon be necessary for the House to consider the expediency of altering those forms which were thus perverted to the obstruction of public business.

Mr. Cobden said, if such a proposition were made, he would be in his place to move perpetual adjournments to prevent its adoption.

The House divided on the question that the debate be adjourned:—Ayes 19; Noes 209: Majority 190.

The House then divided on the question that the words proposed by Mr. Wallace to be left out stand part of the question, when there appeared:—Ayes 174; Noes 49: Majority 125.

#### List of the AYES.

Acland, Sir T. D.	Dawnay, hon. W. H.
A'Court, Capt.	Denison, E. B.
Adderley, C. B.	Dodd, G.
Alford, Visct.	Douglas, Sir C. E.
Antrobus, E.	Douglas, J. D. S.
Archdall, Capt.	Duncombe, hon. A.
Arkwright, G.	East, J. B.
Bailey, J.	Eastnor, Visct.
Baillie, J. jun.	Eaton, R. J.
Baillie, Col.	Egerton, W. T.
Baldwin, B.	Eliot, Lord.
Baring, hon. W. B.	Escott, B.
Barneby, J.	Estcourt, T. G. B.
Bateson, R.	Farnham, E. B.
Beckett, W.	Ferguson, Sir R. A.
Bentinck, Lord G.	Feilden, W.
Blackburne, J. I.	Ferrand, W. B.
Blakemore, R.	Fitzroy, hon. H.
Bodkin, W. H.	Flower, Sir J.
Boldero, H. G.	Follett, Sir W. W.
Borthwick, P.	Ffolliott, J.
Botfield, B.	Forbes, W.
Bradshaw, J.	Forster, M.
Broadwood, H.	Fuller, A. E.
Brodie, W. B.	Gaskell, J. Milnes
Bruce, Lord E.	Gladstone, rt. hon. W. E.
Buckley, E.	Gladstone, T.
Buller, Sir J. Y.	Glynne, Sir S. R.
Campbell, A.	Gordon, hon. Capt.
Cardwell, E.	Gore, M.
Christopher, R. A.	Goring, C.
Clayton, R. R.	Houlburn, rt. hon. H.
Clerk, Sir G.	Graham, rt. hon. Sir J.
Clive, hon. R. H.	Greenall, P.
Cockburn, rt. hon. Sir G.	Greene, T.
Collett, W. R.	Grimditch, T.
Colville, C. R.	Grimston, Visct.
Compton, H. C.	Grogan, E.
Corry, rt. hon. H.	Halford, H.
Courtenay, Lord	Hamilton, W. J.
Cripps, W.	Hamilton, Lord C.
Damer, hon. Col.	Hammer, Sir J.
Darby, G.	Hardinge, rt. hon. Sir R.

Hardy, J.  
Heneage, E.  
Henley, J. W.  
Herbert, hon. S.  
Hervey, Lord A.  
Hinde, J. H.  
Hodgson, R.  
Hope, hon. C.  
Hornby, J.  
Howard, P. H.  
Hughes, W. B.  
Hussey, T.  
Jackson, J. D.  
Jermyn, Earl  
Johnstone, Sir, J.  
Jolliffe, Sir W. G. H.  
Jones, Capt.  
Kemble, H.  
Knatchbull, rt. hn. Sir E.  
Knight, H. G.  
Lefroy, A.  
Legh, G. C.  
Leicester, Earl of  
Lemon, Sir C.  
Lincoln, Earl of  
Litton, E.  
Lockhart, W.  
Lowther, J. H.  
Lowther, hon. Col.  
Lygon, hon. Gen.  
Mackenzie, W. F.  
McGeachy, F. A.  
Mainwaring, T.  
Manners, Lord C. S.  
Marsham, Visct.  
Masterman, J.  
Meynell, Capt.  
Miles, P. W. S.  
Milnes, R. M.  
Morgan, O.  
Mundy, E. M.  
Need, J.  
Nicholl, rt. hn. J.  
O'Brien, A. S.  
Packer, C. W.  
Pakington, J. S.

Palmer, R.  
Patten, J. W.  
Peel, rt. hn. Sir R.  
Peel, J.  
Pigot, Sir R.  
Pollington, Visct.  
Pollock, Sir F.  
Praed, W. T.  
Pringle, A.  
Pusey, P.  
Rashleigh, W.  
Repton, G. W. J.  
Richards, R.  
Rous, hon. Capt.  
Rushbrooke, Col.  
Russell, C.  
Ryder, hon. G. D.  
Sandon, Visct.  
Sheppard, T.  
Sibthorp, Col.  
Sotheron, T. H. S.  
Stanley, Lord.  
Stuart, H.  
Sutton, hon. H. M.  
Talbot, C. R. M.  
Taylor, J. A.  
Trench, Sir F. W.  
Trollope, Sir J.  
Vane, Lord H.  
Vere, Sir C. B.  
Verne, Col.  
Vernon, G. H.  
Vesey, hon. T.  
Vivian, J. E.  
Waddington, H. S.  
Walsh, Sir J. B.  
Wilbraham, hn. R. B.  
Wodehouse, E.  
Wood, Col. T.  
Wortley, hon. J. S.  
Yorke, hon. E. T.  
Young, J.

TELLERS.  
Fremantle, Sir T.  
Baring, H.

#### List of the NOES.

Aglionby, H. A.  
Barnard, E. G.  
Bowring, Dr.  
Brotherton, J.  
Browne, hon. W.  
Busfield, W.  
Callaghan, D.  
Carew, hon. R. S.  
Chapman, B.  
Cobden, R.  
Collins, W.  
Craig, W. G.  
Crawford, W. S.  
Duncan, G.  
Duncombe, T.  
Ellis, W.  
Elphinstone, H.  
Ferguson, Col.  
Fielden, J.

Gill, T.  
Gordon, Lord F.  
Hall, Sir B.  
Hastie, A.  
Hindley, C.  
Hollond, R.  
Johnson, Gen.  
Layard, Capt.  
Marshall, W.  
Martin, J.  
Morris, D.  
Murphy, F. S.  
Napier, Sir C.  
O'Brien, J.  
O'Connell, M. J.  
Pechell, Capt.  
Philips, M.  
Pryse, P.  
Ricardo, J. L.

Scholefield, J.  
Smith, B.  
Somers, J. P.  
Stansfield, W. R. C.  
Stewart, P. M.  
Strutt, E.  
Turner, E.

Villiers, hon. C.  
Wawn, J. T.  
Williams, W.  
Wood, B.

TELLERS.  
Hume, J.  
Wallace, R.

Main question agreed to. House in committee of supply. House resumed. Committee to sit again.

House adjourned at a quarter to three o'clock, till to-morrow.

#### HOUSE OF LORDS,

Friday, July 9, 1842.

MINUTES.] *BILLS.* Received the Royal Assent.—Custom's; Dean Forest Poor; Deptford Pier; Ross and Cromarty Court House; Forth Marine Insurance Company; Blackburn and Chorley Road; Manner's Estate; Brewood School Estate; York Cathedral; Hawke's Divorce.

*Private.*—3<sup>a</sup>. and passed:—Leeds Burial Ground.

#### HOUSE OF COMMONS,

Friday, July 9, 1842.

The Commons met, and went to the House of Lords to attend the Royal Commission, but transacted no other business.

#### HOUSE OF LORDS,

Monday, July 11, 1842.

MINUTES.] *BILLS.* Public.—1<sup>a</sup>. Municipal Corporations; Witnesses (Sudbury) Indemnity; Court of Chancery Offices Abolition.

2<sup>a</sup>. Perth Prison; Right of Voting (Dublin University). Reported.—Stock in Trade.

*Private.*—1<sup>a</sup>. Lord Dinorben's Estate.

3<sup>a</sup>. and passed:—Milton's Estate (Crawford's).

PETITIONS PRESENTED. By Lord Wharfedale, from Proprietors and others connected with the Victoria, Prince Albert, Prosperity, Sheedwell, and a great many other Pits in the West Riding of York, against parts of the Mines and Collieries Bill, and praying for Inquiry.—From Slaithwaite, in the Parish of Huddersfield, for Alteration of the Poor-law Amendment Act with respect to the expenses of Union Workhouses.—By the Earl of Bandon, from Kilnamartery, Magourney, Athowen, Kilnagorry, Inchaguala, and Templebreedy, for the Encouragement of Schools in connection with the Church Education Society of Ireland.—By the Bishop of Norwich, from Coal Miners of Wakefield, Newsome, Lindley, Paddock, Hillhouses, and Sheepridge, for the Mines and Collieries Bill.—By the Earl of Liverpool, from the Guardians of the Newport and Shifnal Unions, the Masters and Colliers of Clee Hill, Shropshire; and the Whitehill and Barley Coat Works, near Dalkeith, against the clause restricting the Time of Employment of Male persons under the age of Thirteen.—By the Earl of Dartmouth, from the Iron Masters of Shropshire; and by the Duke of Buccleuch, from Colliers and Miners, etc. of Midlothian, and of the Dial Wood, and the Wood Pits, against certain Parts of the Mines and Collieries Bill.—From the Burgh and Parochial Schoolmasters of Selkirk, for Inquiry respecting the Parochial Schoolmasters of Scotland, with a view to their Better Remuneration.—From St. Pancras, and Clerkenwell, for the Buildings

Regulation Bill.—By Lord Wharncliffe, from Leeds, complaining of Distress, and praying for Inquiry and Relief.

NATIONAL DISTRESS.] Lord Brougham said: My Lords, the motion which I am about to submit to your Lordships originated, as you are aware, in a petition which I presented some ten days ago. That petition was signed by the deputies, or at least by the chairman of the meeting of deputies, from the manufacturing districts of the north of England. In the prayer of that petition, the men of the midland districts have since most heartily joined. My Lords, those parties came to me from a recollection of my old connexion with one and the other of those districts—with the midland districts ever since the year 1808, and still more intimately since the distress which prevailed in the year 1812, and with the northern districts, from having had the honour to represent them during a short time in Parliament. I yielded to their request with, I must own, great reluctance, and I now come to perform the promise which I made to them, with an unwillingness which I believe one ought not to feel in the discharge of an important public duty; for, my Lords, it is embarrassing to feel that I must disappoint the hopes of relief which the petitioners expect—if not at my hands, at least, through my means—and nothing, let me add, can be more painful than having to state a case so lamentable as theirs. My Lords, these petitioners are, for the greater part, extensively connected with the trade of the country, and deeply interested in all the branches of its manufactures. Some of them are ministers of religion, who feel for the flocks committed to their care, as do the others for those who have worked under them, and of whom they thus feel it their duty to be the guardians. Feeling that it must be as painful to your Lordships to hear the statements which the petitioners expect me to make as it is to me to make them, it is my intention to lead you as swiftly over those parts of the subject as I can, and indeed, I may the more easily dispense with entering at any length into those afflicting details, for, unhappily, it is now no longer a matter of controversy whether such distresses exist or not. All who know anything of the state of the country—and none I believe, know more than some of my noble Friends opposite—are prepared, I doubt not, to admit at

once that the present distress of the country is without a parallel. My Lords I well remember, and so do the petitioners—at least the elder amongst them—the distresses in 1808 and 1812, and more lately, in 1816 and 1817; but I protest, that when I cast my eyes back and compare the sufferings of those periods with the present, when I refresh my recollection by referring to the results of inquiries at that time made, and compare them with what it has been my painful duty to learn within the last three or four weeks as to the present state of things, I may say almost without exaggeration that the former periods present comparatively an aspect of prosperity. Now, my Lords, not to break the promise I made of going over the ground as quickly as possible, I shall begin at once with the general features of this question. In the west of England, for years past, I may say for the last ten or twelve, there has been a gradual decline of business—gradual at first, as always happens in such cases, but afterwards proceeding with an accelerated pace until the branch of manufactures in which it commenced was annihilated. What is the result? Looms are idle, houses untenanted, rents falling to one-half, one-third, and sometimes even lower. Cottages to the number of three out of four are deserted—thus giving to the whole scene every appearance of an entire transfer of the former flourishing manufactures of Gloucestershire and Wiltshire to some other parts of the country. One might be disposed to hope at first, that the change was but a transfer of business from one part of the country to the other, and that what was lost by Gloucestershire and Wiltshire was gained by some counties in the north; but, my Lords, this unfortunately is not the case, for you will find that coeval with the decline of the manufactures in the west was the commencement of that distress which is now afflicting the north. Then, when we turn to the midland counties, to Leicester, to Shropshire, and Staffordshire, and Warwickshire, and from there carry our eye over to Yorkshire and Lancashire, we shall find the distress presenting the same features as in those counties from which the woollen manufacture has removed—wages reduced, houses untenanted, rents fallen to one-half and less, able-bodied and healthy men, at least men who were once in health, men well skilled in their respective branches of trade—men able and willing and but too anxious to work, thrown out of employment



by thousands, while those to whom some work remains are reduced to a pittance with which life may be said to be endured rather than sustained. Cottages are left without tenants, wages are reduced in some instances to 6d. per week—rather less than even 1d. for each, and every day. Can it surprise your Lordships, that in this state of things whole families should be for whole days without food of any kind? The poor-rates are increased in some districts four-fold, and in others they are raised to double that amount, while the defalcation of the property on which those rates used to be assessed has gone on from 20 to 30, to 40, and sometimes to 50 per cent. compared with what it was two years ago. My Lords, I now come to some, only to some of the details, over which I shall run as rapidly as possible, for I really am averse to deal with matters so frightful. As I have said, there are found every day such occurrences as seven, or eight, or ten persons in one cottage, who are for days—my Lords, I cannot say “a day,” but for “days,”—without a morsel of food of any kind. In some cases the destitute have remained on their bed of straw for two successive days, because they are under the impression that in a recumbent posture the pangs of hunger will be less severely felt than in an erect position. Those who are able to crawl about live on matters which ought not to be eaten—at least, not as the food of man—and they may be now said to envy those who fed on husks that are the food of swine. My Lords, I have been informed by some ministers of religion, that it is not an uncommon thing, but one of frequent occurrence, that men of their congregations are taken from their chapels fainting from illness and weakness brought on by want of proper sustenance. I shudder at the recollection and almost dread to tell your Lordships of some of the cases that have come to my knowledge—cases in which, however, and be this told to the honour of humanity, I have heard of the greatest benevolence and the kindest disposition being evinced by those having the smallest means, and who, I must say, are ever found endeavouring to alleviate the distresses of people but little poorer than themselves out of the proceeds of their own scanty pittance. I have known one instance of a mother, with an infant at her breast, found dying in the street for want of food, who was removed by its compassionate inmates to a cellar—I cannot call it habitation—in which the infant died three days after it had been taken

there by the kindness of the poor inhabitants. I have been told also by a charitable person who goes about to alleviate the distress that exists not in one street, but all over the district in which he resides, that he found in one miserable room a man with his wife and children, who had been without work for fifteen days, and who, having at last obtained it, worked ten or twelve hours without tasting food, then came home, and flung himself on a bench—the only place he had whereon to rest his limbs—where he was found by the humane person I have mentioned, who gave him out of his own poor substance a small mite wherewith to purchase bread. The same informant afterwards said, that it was one of the most affecting sights he had ever witnessed to see the children ravenously devouring the bread his pittance had procured for them, and then fall on their knees and pray the Lord that their benefactor might never know hunger such as theirs. These are details, my Lords, which quite unman one, but which, however painful to relate, I have thought it my bounden duty to lay before you as I proceed to bring forward my motion. I will not detain you a moment in refuting the arguments sometimes urged to show that the distress is exaggerated. A word will dispose of each. The revenue, particularly the excise, has not, it seems, fallen off. But then eleven days' collection has been brought forward into the quarter just returned, and this will more than account for the amount keeping up. The funds have maintained their price and money is cheap. But this is owing to the state of trade and the difficulty of finding a vent for capital. A considerable exportation of goods has taken place; but their extremely low price from the depression of the home market at once accounts for this. In fact the warehouses of foreign countries with which we trade are filled with our goods; and this reacts fatally upon our markets. In many places hands have not been discharged and manufacturers go on making; but they fill their warehouses and lock up their capital. In other quarters new concerns have been opened. But this has arisen from the failure of old ones, and their property being brought into the market at prices so very low as to tempt even a desperate speculation. Be assured there is no exaggeration whatever in the accounts that have reached you of the prevailing misery, and that it is quite as severe as the petitioners have described, and as I have had the sorrow

now to represent. My Lords, it is no little consolation to me, no little merit in those for whom I plead, and no slight argument in support of my proposition, that the working men, whose distress we are now considering, have borne their privations with an unexampled degree of fortitude; but still more to the merit of the suffering classes is it, that they have submitted with quietude, with perfect tranquillity of demeanour, with a fixed determination not to break the laws of their country, and that all the attempts made by ill-meaning persons—or by thoughtless and no-meaning persons, for so I may better describe them—whether made on their loyalty or on their public virtue, have been utterly powerless to shake their fixed determination to persist in doing their duty by their country, by their families, and by themselves. And here let me stop to remind your Lordships who those persons are who have set so honourable an example to their fellow-subjects. They are neither more nor less than the working people of this country. It is the cause of the working class; and I draw, my Lords, no invidious distinction between those engaged in the labours of agriculture and the labours of manufacture; it is the cause of the working class at large which these petitioners anxiously submit to the consideration of your Lordships. It is that class to whom this country owes everything: whose industry, whose perseverance, whose matchless skill in every branch of art, has carried this country up to the pitch she has reached, and has reared her commercial greatness to an unparalleled and a stupendous height. And here be it recollected, and this is no small aggravation of the people's misery, and no small additional reason for your Lordships lending an attentive ear to their complaints—here be it recollected, that if this commercial greatness falls, it falls assuredly to crush those who raised the fabric; or that if without falling, it but crumbles down in part, not a stone will be displaced, not a beam or rafter will fall, that does not injure those first, by whose skill and virtue it was erected; for it is the hard lot of the working people of this and every other country, that as by their hands the building was raised—they themselves of necessity having enjoyed but a moderate portion of the prosperity—if it fall, whether through the mismanagement of public affairs, or through causes beyond our control or causes unexplained—if it fall, no matter how, no matter when, then, unhap-

pily, the working classes are those who first and most grievously feel the change. And now, my Lords, having told you of the distress and of the merit, the patience, and the tranquillity of those who have endured it, I would call your attention to another consideration, which it is hard for me to mention, desiring, as I do, to avoid political discussion, to keep clear of everything bordering on controversial ground—for this is no matter of party, but a subject which all sides of the House must have at heart—nevertheless, I think there is a consideration which ought at the present time to work with you, inducing you to give a favourable ear to the prayer urged by these petitioners. The working classes, my Lords, and I would earnestly beseech you to remember this, have no hand in making the laws by which they are governed. They have no representatives; they do not contribute one single vote to the choice of the men by whom the laws of this country are made, and the men by whom its affairs are administered. Somewhere less than 1,000,000 of our fellow-subjects enjoy that franchise—allowing for double registration, not 750,000 enjoy it—but considerably above 5,000,000 are entirely excluded from any share in the representation. Virtually, no doubt, they are represented in the House of Commons, and virtually, they are just as much represented in your Lordships' House; for, allow me to say it, and with this one word, I will dismiss the topic, your Lordships are just as much the representatives of the people as the Commons—or if you will not so much as the Members of the other House, consider yourselves their virtual representatives, at least, let me entreat you own to clothe yourselves with the office of their actual protectors. But, I repeat, that these petitioners cannot expect from me to-night anything more than that I shall tender my best assistance and advice to your Lordships as to the course we should take in remedying the evils of which they complain, and therefore, I shall say nothing to-night, which can wear the appearance of an observation connected with political discussion. I say, again, that I consider this no party question. I look upon it as presenting itself alike to the consideration of both parties, and I should feel difficulty in deciding, were I called upon to apportion the greater share of sympathy to either side of the House. Avoiding such discussion, neither shall I say one word in disparagement of any

one class of people. They are very thoughtless men, I will not say very ill-meaning men, who would set up the farmer against the manufacturer, or the manufacturer against the farmer. It is our bounden duty alike to respect, and alike to protect and to cherish both, and I shall no more say that the farmer's head is as dense as the clay he tills, than I shall say that the wits of the manufacturer are like the wool he spins, or his heart like the iron he hammers. The farmer—the peasant—in his industry and prosperity we have as great a stake as in that of the congregated mass in the large manufacturing town; and that mass has the same interest in his well-being as in its own; of those farmers and their occupation, I may say, in the words of the old Roman—

“*Pius quæstus et minime invidiosus et minime male cogitantes qui in eo versantur.*”

And now, my Lords, suffer me to entreat your attention to the consideration of some of the alleged causes of the existing distress. It has been said, that the extent of our machinery is one of them. But whenever a new invention is introduced, it is gradually brought into use; new machinery can only be established slowly, and by degrees the change takes place; therefore, there is plenty of time for those who are thrown out of employment to find another market for their labour; and thus, in point of fact, our artisans do not, and have not suffered from this cause. It is an error, and a common error, to suppose that machinery reduces the demand for the labour of men's hands. Either machinery does or it does not tend to produce profit; if it does not, it will not be used; if it does, it increases capital, and the increase of capital naturally and inevitably tends to increase the demand for labour, because in employing labour it must needs be used. Now, let us consider how the fact stands with respect to the districts where the distress is most severe, and let us see whether it is connected at all with machinery. I will take only a few cases. It is admitted that the woollen trade is much less than the cotton trade dependent upon machinery; the cotton trade is that which has most to do with machinery, the woollen trade in a much less degree. Nevertheless, a town well known to my noble Friend opposite (Lord Wharncliffe)—the town of Leeds—is, I am afraid, at this moment much worse off than the great seats of our cotton manufactures. I

find that the number of uninhabited houses in Leeds has increased 55 per cent.; that the rates have doubled; that about one-fourth of the population, that is, 40,000 out of 150,000, are either receiving parochial relief or are relieved by committees; that 20,000 of the 40,000 are earning only 6*d.* a-week. Now, Bolton is one of the great seats of our cotton manufacture, and there, although the people are suffering, although employment is reduced one-third, and wages are reduced from 9*s.* to 6*s.*, yet the distress is not so great as at Leeds; and the rates there have increased, from 1840 to 1842, one-third, that is, from 12,000*l.* to 16,000*l.*, whereas at Leeds they have doubled during the same time. Now let us look at the hosiery trade. At Hinckley the rates have increased in the proportion of three to five, and one-half of the frames are idle; and in Loughborough 70 per cent.; one-third of the houses are uninhabited, and one-fifth of the population are unemployed. Now, the question of machinery hardly enters at all into a consideration of the hosiery trade, at least there has been no important change or improvement in the machinery employed in making hosiery for many years. Again, at Nottingham, the amount of the rates has risen in the proportion of three to five, between 1841 and 1842; the number of the population receiving relief has nearly doubled, being 8,000 instead of 4,400. In the potteries, again, there are only three days in the week in which anything is done. The iron trade employs more machinery than the hosiery and the pottery trade; yet it is small compared with that which is employed in the cotton trade, and that small quantity of machinery does not come into competition with labour, so as by possibility to displace it, being a kind of machinery without which no labour could attain the object in view. At Wolverhampton I find that, of twelve articles, taken at random, the prices have fallen one-half, compared with what they were a year ago, and the rates have doubled and trebled. In Sheffield, which is the worst case of all that has come under my observation, the rates have been increased, between the years 1839 and 1842, in the frightful proportion of eight to one; in 1839 they were 541, and last year they had risen to 4,200. By these references the House may easily see that there is no connection between the employment of machinery and the distress which prevails to such an extent; for in many of the trades

in which little or no machinery is used, the destitution is greater than in those where the most extensive and complicated machinery is in constant use. But for the use of machinery a great many of those trades would have had no existence, and but for the extensive use of machinery in others, they would have been entirely destroyed by foreign competition. Finding, then, that this state of misery and distress is not owing to the use of machinery, nor to the seasons, nor to any bad dispositions in the people, from whence does it proceed? I hold it perfectly wild to impute it, as some have done, to the state of the currency. It is out of all reason to say that the currency has in any way produced this result, inasmuch as the change in the currency took place so far back as twenty-three years ago; and trade, and manufactures, and agriculture have been, during the greater part of that time, in as flourishing a condition as during any years previous to 1819. In such circumstances it is preposterous to impute the present distress to the change in the currency which then took place. It is as impossible that such a result can be properly ascribed to the currency, as any, even the most remote event, the most imaginary assumption that could be taken. The whole effect of the change in 1819 was accomplished within three years after the measure passed. I will only mention, further on the subject, that during five of the last ten years, the country, both as regarded its agriculture and manufactures, was in the most flourishing condition. [Lord Brougham then stated that it was not owing to the seasons, and also that a better harvest than the last could not relieve it, and could only prevent an aggravation from dearth.] If, then, we cannot account by these means for the present distress, I am inclined to recommend that those who are prepared to give their attention to this subject, should look to the state of our foreign trade, and its connexion with the present state of things. I am not one of those who look with any alarm at foreign competition. We are deceived if we think that this competition is recent; during many years such rivalry has been going on in many manufactures. In cotton goods, for instance, whilst our trade has been increasing, in France also there has been a very great increase of the very same manufacture. The revolution tended, of course, to suspend the manufacturing industry of that country; but between 1787 and 1815 it had increased seven or

eight fold, and the number of hands employed in France in the cotton trade bears a very considerable proportion even to the number employed in our own—about one-third; that is, there being 1,500,000 persons who depend upon the cotton trade in this country, there are 600,000 who depend upon the cotton trade in France; and the increase of the exports from France since the peace (there were, of course, none before the peace), from 1815 down to two or three years ago—the latest period to which I have been able to obtain authentic accounts—was so great as to have augmented the trade sevenfold:—that is, France exported seven times as much manufactured cottons as she did formerly. But did our trade suffer at this time? Did that competition diminish our trade? I apprehend not; during the period of which I am speaking, from the year 1815, our cotton trade more than doubled; it increased from 22,000,000*l.* to 52,000,000*l.* during the same period in which the French exports increased, though, no doubt, in a greater proportion, from the war having so differently affected the two countries. Therefore I think there is no fear, considering the extent of our machinery and our manufacturing skill, considering the great capital which has been amassed in this country,—I mean to say that I have no apprehension of the effect of any foreign competition, provided our machinery and skill, and industry and wealth, are suffered to have reasonable fair play. But when I look at our legislation with reference to foreign countries, and the consequences necessarily produced by that course of legislation, I do feel alarm; for I can perceive sufficient reason why our industry is cramped, and I confess that my most serious ground of alarm is for the future, because my impression is, that things cannot rest as they now are, and that if we do not retrace our steps, they will grow worse. The petitioners only want to produce evidence before you to establish the causes of the distress, and to show your Lordships the remedies they propose. If your Lordships will not give them the opportunity, I tell you now as I told you three years ago, when I brought forward the question of the Corn-law, that your refusal must be grounded upon one of three reasons; either that you admit the facts they are prepared to prove, and have therefore no occasion for evidence; or that you deny the facts to be capable of proof, as being so absurd and so incredible in them-

selves that no amount of evidence could induce you to believe them; or, lastly, that the facts are wholly immaterial, and that it signifies nothing whether the statements are true or false; that they do not touch the question, and therefore it is unnecessary to receive evidence at all. Now, my Lords, the petitioners will show, in the first place, in what way the present restrictions on our foreign trade, arising from the prohibition of the importation of corn, bear on our trade, both commerce and manufactures. They are then prepared to show that at this moment purchases are making in various quarters, at reduced rates, of our most valuable machinery for exportation; that agents from France and Belgium are making such purchases; that the prices are fearfully reduced, and that engines of the utmost value, in respect to their completeness, and exactness, and entire finish, and now perfectly new, are exposed to sale at so great a reduction of price, that in one district it is only one-third of the prime cost, in another district even less than that proportion, and in some districts where the foreign agents do not come, engines remain unsold, because they are unsaleable, the only demand being amongst foreign purchasers. The petitioners then are prepared to show, that in other countries which have heretofore been purchasers of our engines, manufactories of engines have been established, which are given rise to a variety of other establishments. In the next place, they are prepared to show, what I confess is a very melancholy fact, a resolution on the part of some of our most skilful manufacturers, a resolution partly accomplished, to emigrate to foreign countries; not only ordinary workmen, but there is this lamentable circumstance, which is new and peculiar to the present time, that some of our very best hands—a considerable number of our most skilful and approved workmen, men of experience, whose skill, as it is most valuable to those countries to which it shall be given, cannot be supplied in the country from which it is taken—are on the list of intended emigrants; and the consequence must be, that their skill will be withdrawn from this country, and given to those foreigners, our competitors, who will shelter and employ them. Heretofore, emigration was confined to the workmen and the inferior workmen; but it now includes not only workmen of the first class, but capitalists themselves. Amongst the facts which the petitioners

are desirous of proving is this:—that a considerable number of men with capital are now ready to leave this country, and some are actually preparing to leave it, and it is only by this question being considered in Parliament, and by their seeing the question so considered as to give them a reasonable hope of some legislative change in respect to the importation of corn, that you can expect to prevent them from fulfilling their intentions. I know, my Lords, instances of men who have employed 1,000 workmen who have such a measure in contemplation. I abstain, for obvious reasons, from stating who they are, or even the parts of the country where they live, because it would be known to whom I allude; and whilst it is possible that they may change their resolution, it is for obvious reasons better that it should not be disclosed; but I do know individuals whom nothing short of the change I have mentioned will detain in this country, since they cannot continue here so as to make their capital yield a profit; nay, some of them feel that if they do continue here ruin must inevitably ensue. Imagine now a man, and there are many in such a situation at present, having 200,000*l.* capital locked up in goods in his warehouse for which he cannot find a market, and which, consequently, is not paying a farthing of profit or of interest. A man under such circumstances cannot suddenly change one branch of industry for another, and find out fresh investments for his capital; for perhaps if he could, persons in this position might give up the chance of selling their goods on hand and take to some other branch of industry, and this after making such large sacrifices. But a person in such a situation cannot change his occupation, and yet he cannot obtain a sale for his goods, for if by chance he should be enabled to sell them, he must do so at a most ruinous sacrifice; and after this falling-off in his resources he would still find himself unable to invest at home his floating capital in any other line of business. Therefore he must, if the present state of things be allowed to continue, gather as well as he can his fluctuating capital, sell his goods at almost any price that he can get, and dispose of his machinery or the plant of his manufactory in any way that he can, and certainly at an enormous loss, and go elsewhere to prevent the whole of his fortune being lost by continuing to produce unsaleable commodities. I question whether these are extreme cases; I am

informed that a very considerable number of cases can be adduced by persons, who offer to be examined by the committee which I ask your Lordships to grant. I am convinced from all that I have seen and heard that a very considerable emigration is about to take place of this description of persons if no change be made in the system of our Corn-laws. It may be asked, supposing a change had taken place, what reason is there to believe that the present state of distress of such large bodies of people will be relieved? It is stated by these petitioners that their agents and connexions abroad, who are engaged in the sale of manufactures in foreign markets, have assured them that if a change in the system of legislation, as regarded the Corn-laws, can be carried, there will be an accession of orders for goods given to this country which are now given to other countries. I have been informed of numerous instances where orders which had formerly been executed in this country have been sent elsewhere. I have been informed of one most important American house, which formerly exported most largely manufactured goods from this country, having given this season only one-half of its orders in England, and sent the other half to France. Now all this the petitioners can show, from correspondents upon whom they rely, and they are ready to prove by evidence, that if a change took place in our system many foreign houses which formerly exported largely from this country, and have of late ceased to do so, would again purchase manufactures from us. On these points many mercantile men are prepared to depose, and to explain the topics which the petitioners have adverted to. They will show that many persons in foreign countries would give orders who now withhold them from our manufacturers, and that without delay a most important and thriving trade might be created, which is now prevented by the operation of the Corn-laws. At present many of the manufacturers have been obliged to dismiss half their workmen; but in the majority of instances they kept them at work for a diminished number of days in the week. It has been stated, at a large public meeting, by a most respectable and excellent magistrate, that he knew instances of workmen having the choice given to them either to have five or six days work a-week as heretofore; but that in this case the number employed must be reduced, or that the whole number should be employed for a shorter period of time, having at once preferred the latter alternative, as it enabled the master to keep all the hands, although with greatly reduced wages, instead of dismissing them half and retaining the rest. Nothing could be more creditable to the humanity of men suffering so severely, for they had to submit to the reduction of their wages from 2s. to 1s. a-day, or from 12s. to 6s. or 7s. a-week. The manufacturers who now intend to reduce the number of their workmen if they see any reasonable prospect of a change in the system which oppresses them, will at once resume their occupations, and take additional hands into their employ, and they will go on working as before. I wish to remind the House, which I will do as briefly as possible, of the course which things have taken in other countries. The American trade is admitted on all hands to be chiefly that to which we should direct our attention. If you set the example of doing away with prohibitory duties, what are called protecting duties, it will become impossible for the Americans to continue them. I should say, that if you do away with protecting duties, it will become next to impossible for any other country to continue them; but for a country with a popular government like America—I might say France in the same way, and for the same reason—but for America it would be hopelessly impossible. The case stands thus:—The middle, the northern, and the eastern states are for protecting duties; the western states are somewhat equally divided between southern and western, but rather inclined against protection. The southern states are decidedly against it. We have, then, the western states leaning rather more towards the southern; but when they find that the northern and the eastern, the states which are for protecting duties, are supported by our example, and not only that, but enabled by our laws to carry these unsound, though somewhat popular principles, into execution, the inevitable consequence will be, that the western states will join those which are for the protecting duties, and give a majority against the southern states which are opposed to them. Why do I say that in their unwise and illiberal legislation they are not only encouraged by your example, but supported and empowered by your laws? Because of the immense frontier which the country presents, across which, however strong may be the govern-

ment, they cannot prevent smuggling. I don't mean to say that I am an advocate for illicit trade, but I say, that if you prohibit a free-trade in the article of corn, you bring to the assistance their imperfect staff of officers your own effective force to prevent the smuggling of British manufactures, which, without your assistance, they would not have the power to do. There is a great difference between the articles of the two countries. What you have to send there is much more easily smuggled than what you have to receive. All your manufactures are more easily smuggled than the bulky article of corn. I say, therefore, that smuggling your small articles of value through their numerous creeks, and across their enormous frontier is a thing which they cannot prevent. What are you to do? In the first place, it is not likely, unless you set the example, that their legislature would resort to protecting duties; and in the next, if, notwithstanding that you withheld your example, they did resort to them, they could not execute their own laws of protection without your assistance, and that assistance you would lend them at your own expense and to your own injury. That would be precisely the same error which this country fell into during the time of Napoleon, when the Orders in Council were issued to enforce the Berlin and Milan decrees, which would have been a dead letter but for your orders, which gave to those decrees a most triumphant and most mischievous effect, making those decrees, for the first time, effectual, and by your aid enabling them very nearly to annihilate your commerce, and, at all events, to inflict upon you a blow from which for years of peace you were not able to recover. You are now doing, for the second time, and after all the warnings of that experience, the self same thing respecting the American trade. But there is not the least doubt, if you were to repeal the law which excludes foreign grain from this country, that the western states of America would join the southern states against the protecting states of the north; and such an evil as I have pointed at would be impossible to continue even to a comparatively small extent. Now is the mischief confined to our commerce with America. The letter written by the Prussian minister, in 1824, to the then Secretary of State for the Foreign Department, affirmed in express terms, that if an arrangement were made for the importation of corn, and timber, and other Prussian articles, their tariff

would be arranged in the same amicable spirit. I understand that Mr. Addington, our Minister in the United States, wrote to the Government of this country some time after the former communication had been received, offering a similar concession. Unfortunately neither of these communications has ever been acted on. I have heard of one remedy proposed for the existing distress, which I think I ought to advert to for the purpose of entering my solemn protestation against it. If your Lordships grant the committee, as I think, with great submission, it is your bounden duty to do, I shall, of course, have no objection to hear every matter discussed in evidence, all remedies adduced, whether I may agree with those noble Lords who suggest them or not — with my noble Friend at the Table, for instance, and whether their propositions have regard to the currency or to machinery, or to—[Earl Stanhope: Protection of labour]—or to what my noble Friend calls protection of labour, even though he should carry his principle beyond the destruction of powers looms and cotton mills, and furnaces, which are a species of engine, as steam-engines cannot be set working in the mills without them, and are used to the exclusion of horse power. [Earl Stanhope: I spoke of the protection of the wages of labourers.] Wages of course are protected by the demand for labour, and that demand being contracted, and wages being diminished, the protection fails, in proportion as machinery is employed, or, as my noble Friend would argue, in proportion as horses are substituted for men. But by the substitution of horses for men the capitalist to whom the mine belonged is enabled to work with other machinery which it required hands to make; and not only that, but the capitalist is enabled to work mines at a profit which otherwise he could only work at a loss, and which consequently he would not work at all, and to continue employing men as well as horses, whereas, according to the theory of my noble Friend, he would employ neither man nor horse. Instead, then, of substituting horses for men, men were employed who would otherwise have been thrown on the parish. However, even should my noble Friend go beyond this—should he, not content with suggesting doubts as to the propriety of steam machinery and horse-labour, of wheels, of axles, of cranks, of pulleys, go some steps further—advance to the utmost pitch of consistency with his

own opinions as regarding protection of labour—and seek to prohibit tools, as well he might, seeing that, no doubt, tools abridge manual labour, and, therefore, according to the noble Earl, lessen the amount of man's earnings—even were the noble Earl to go to this extreme, I should not have the least objection to have even such matters as these inquired into. I should have no objection, even, to have the sugar question examined, though, for my part, I am one of those who think, that it was rather a question whether crime should be encouraged than whether trade should be protected—that to consider, for one moment whether Cuba or Brazil should have a bounty given them by us for the purpose of directly fostering and instantly extending the African slave-trade, is to discuss whether we shall commit felony, not whether we shall encourage waste; but even though I have this feeling on the subject—even though I view every pound of sugar that comes from a slave-trading country as defiled with cruelty and robbery—nay, as steeped in African blood—yet, and I can give no stronger proof of my desire to have full inquiry into the whole subject, even into this question of the importation of foreign sugar, that is, the increase of the slave-trade, I will consent to inquire. But there is one thing against which I loudly protest; a proposition which I consider among the most outrageous I have ever heard of; I have heard of it only out of doors—no one had ventured to broach it in Parliament—a proposition in every respect the most reprehensible, and fraught with incalculable mischiefs, with unspeakable increase of the miseries which the country now labours under. I refer to the attempt, which has been suggested, in some quarters, by means of what is called non-consumption, or an agreement among the people not to consume certain commodities, to embarrass the Government and a refusal to pay direct taxes, thus involving the executive Government in inextricable difficulties. I consider all attempts of this sort as tending immediately, directly, inevitably to exasperate existing mischiefs, to exacerbate the miseries which now overwhelm the country. In all that has latterly taken place, in the gloom that now hangs over us, there is one point towards which we can direct our eyes with satisfaction—the public credit has been preserved. I can hardly conceive a greater evil—I cannot imagine any increase of distress which would have been

more tremendous, than if there had been anything like an obstruction to the public credit, by a defalcation of the revenue, rendering it incapable of meeting the expenditure. The destruction of all private credit would be the instantaneous result. If any attempt were made, with whatever motive, on whatever principle, to curtail the revenue, to prevent its collection, to prevent its taking the usual course in that peaceful and steady way on which public credit mainly depends, those who made the attempt, pure and honest as their motives might no doubt be, would be the very first to repent it, the first to feel its ruinous consequences. Before I sit down, I wish seriously to ask your Lordships on what grounds you can resist this inquiry? It is admitted that great distress prevails; it is alleged, that nothing can be done by Parliament towards relieving that distress. At least, let the inquiry sought for, be given, that the people may have the melancholy satisfaction of seeing it proved that Parliament can really do no more to remedy the distress than it has already done. When the people are crying out for assistance, and are told that Parliament cannot help them, it becomes all the more desirable, and the more necessary, that, at the least, Parliament should not shut its doors against hearing the statements which the sufferers have to make, even though it were absolutely resolved to do nothing. It seems a preposterous thing to suggest that you have all your minds made up, inquiry not having yet been made, but I will assume for argument's sake, that you have all formed a determination, and that even were the committee granted, I should come out of it just as I went in; yet still I would contend that it is the bounden duty of your Lordships to let the people tell their own story, state their own case, and suggest their own plans for remedying the miseries which afflict them. Then, at least, your Lordships, even if nothing be done, will have shown the people that you have not been willing to lose any possibility, to throw away the slightest chance of devising a remedy. It is alike incumbent upon all parties not merely to grant, but to seek such an inquiry. Take the Corn-law question, for instance. The new Corn-measure has now been passed some eight weeks. With respect to that measure there are four kinds of opinion. One class of persons, myself among the number, regard it as an improvement, though



not sufficient, upon the former system; another set of men regard it as no improvement; a third view it as by no means so good; while the Government, and those who think with them, view it as all that could be desired. It is therefore, desirable, for the satisfaction of all parties, that it should be known what the real effect, what the actual operation of the change has been. It is no satisfactory answer to the demand for inquiry to say, that the Session is far advanced, that we are about to prorogue, that we must wait till next year. Such an answer will not do at any time, but far less in times like these. If, last year, Parliament could manage to assemble late in the summer, because a change had taken place in the Government; if they could sit till the end of September, because there had been a political change in the preceding month, surely this year, when the question is not merely a balance of parties, a change of political power, but the interest of the whole people; and not only the interest of the people, but the well-being of the people; and not only the well-being of the people, but the very subsistence of the people; and not only their very subsistence, but their actually continuing to exist at all, and whether they shall any more be a people or not—and when, moreover, winter, which is approaching to shadow us over, will throw his dark wing over the criminal as well as the workman, affording in the long, cold night that follows upon the cheerless and foodless days, shelter and opportunity for acts of desperation to which hitherto the long suffering and patient people, amidst all their fearful distress, have firmly resisted, all temptation and excitement, both from within and without—when such is the question, it would be an insult to your Lordships' heads and hearts to suggest for one moment that the slightest hesitation can be felt in consenting to sit for three or four weeks longer. I humbly take upon myself to suggest to you, as your duty to the country and to yourselves, that you should not refuse to enter into this inquiry—that you should hear the evidence which I have opened to you, and which, on the part of the petitioners, I am ready upon their oaths to substantiate. My Lords, I have undertaken to bring this subject before you. As I began with stating, I have done so most reluctantly, from the little hope I have that any result will follow; but I have done it with the view that, if no good

should arise from it, I, at least, may have the comfort of thinking that it has been no fault of mine if the prayers of these petitioners ascend to this House in vain. I have undertaken the task with the fear that I may fail in obtaining your assent to my proposition—I have done so with the risk that, even if you should grant the inquiry, it may prove fruitless; but I have acted upon this persuasion—that before the winter comes, the distress will in all probability be unbearably great; that during that hard season it will be more than ever for the poor destitute people; that happen what may, I, at least shall have discharged my duty, and freed myself from responsibility; and that though I may deplore the failure of this attempt to obtain your concurrence in my proposal, yet happen what may, I am not answerable. I hope to God your Lordships may take the like means of relieving yourselves from the same responsibility. The noble and learned Lord concluded by moving for “a select committee to consider the distressed state of the country.”

The Earl of Ripon could well understand why his noble and learned Friend had hesitated, as he had told them he had, before bringing this subject before their Lordships, for his noble and learned Friend had had so extensive a knowledge of the various matters which he had brought before the House, and so long an experience in parliamentary proceedings, that his diffidence must have been founded upon some very grave doubt in his own mind whether, even if he succeeded in inducing a concurrence in his proposition, he could succeed in bringing about any satisfactory result. He knew too well the complicated nature of the question which he had brought forward, not to know that of all unsatisfactory inquiries that could be entered into, none could be more unsatisfactory than that which seemed to be the only practical point which his noble Friend had had in view throughout his speech—the question of the repeal of the Corn-laws; for that was the sum and substance of the proposition of his noble and learned Friend—that was his panacea for all the evils under which the country most undoubtedly laboured. Now, he felt no small difficulty in again entering upon that subject. It had already been most fully entered upon, and nothing that had passed in those debates had tended to convince his mind that the

Corn-laws could be fairly represented as the cause of the existing distress. If they were not the cause of the distress, then the repeal of those laws would be no means of removing it. His noble and learned Friend argued that if they were unable to provide a remedy for the distress, it would at least be a satisfaction to the sufferers to know that their case had been taken into consideration. That might be so, but if it turned out that they had set their hearts on one remedy, which remedy should turn out to be really no remedy at all, and, should, therefore, be refused, then the effect on their minds would be far worse, because their hopes would have been excited by the granting of an inquiry, and they would have some appearance of a right to say, that they had been deluded and disappointed. Therefore, unless he saw the way open, unless he saw some distinct, clear, and safe means of adequate relief, he thought it would be much fairer and much kinder to abstain from inquiry than to enter into it. He would not undertake to follow his noble Friend through the whole of the details of his speech, but there were one or two points to which he would advert, as having a bearing on the question. His noble Friend said, that the cause of the existing distress was the embarrassment caused by us to foreign countries, arising out of the restrictions which our Corn-laws imposed upon their trade. That led to a consideration of what those embarrassments were. It certainly could not be that we did not take their surplus corn, because during the last ten years this country had imported and consumed the whole of the surplus produce of the corn-exporting countries of Europe, with the exception of that which had been demanded by the other importing countries. He did not mean to say that this had been done by a regular process of so much per month or per annum, but still, in point of fact, we had consumed the total surplus of the exportable corn of those countries. During the four years commencing with 1833, the growth of corn in this country had been so abundant, that even if there had been no Corn-law at all, he doubted whether any foreign corn could have found here a market that would have repaid the importer. That was the case with those four years, but excepting those, the case had been as he said. At the present time we had swept the granaries of foreign

countries of their exportable corn. Now, surely if this corn was imported here, it must be paid for in something, therefore the distress could not be said to be owing exclusively to an absence of demand for our manufactures. But then, his noble Friend argued that we had stimulated the manufactures of foreign countries by means of our Corn-laws. But he had added with great truth that it was a mistake to suppose that before our Corn-laws were introduced those countries had no manufactures at all. France before the revolution had commenced those manufactures which the war prevented her from carrying to perfection, while we, during the same period, were able, from other causes, to carry on ours. But he could not understand how it was argued that it was because we placed a duty on the importation of corn, therefore foreign countries imposed a duty on our manufactures. Was it our Corn-laws that induced France to place those prohibitory duties on the manufactures of other countries, while they had themselves a Corn-law to protect their own agriculture? The same might be said with regard to Belgium. Again, take the vast empire of Russia. Why, if there was any country in the world where prohibition amounted to a persevering system, Russia was that country. Did any one suppose, if we were to offer to Russia to repeal our Corn-laws if she would repeal her prohibitory duties, that the Russian government would adopt that line of policy? It was absolutely impossible, considering the system which Russia pursued, and the immense sums they had spent in establishing it. But there were other articles which we took from Russia to a large extent on which we imposed no prohibitory duty. What was the case with regard to those articles? Why, that we already imported of them six or seven times the quantity which they took of our manufactures in return. Russia herself had a Corn-law for home protection, and was exceedingly watchful of the importation of all corn. It was also notorious that the harvests of Russia were exceedingly uncertain, and scarcities happened there more frequently than in almost any country in the world. During the last ten years there had been no less than five of absolute famine, so severe that the emperor had been obliged to repeal for a time the duty on foreign corn. All these facts afforded an addi-

tional reason why they should not, merely under the pressure of distress, and not upon any well-considered plan of policy, repeal the Corn-laws. Then take the case of Prussia and the German League. No doubt Prussia produced a great deal of exportable corn; but for the last five years we had been constantly importing corn from that country, and the Prussian government already looked to the recent change made by us in our Corn-laws for a more steady and beneficial trade. But there were portions of the Germanic union which did not look on the change in so favourable a light as it was regarded in by Prussia. From the increased facilities which they considered it would give to the importation of corn into this country, they were apprehensive that the effect would be to increase the price of corn to their own consumers; so that it was not at all clear that the repeal of the Corn-laws would produce any of the effects attributed to it by his noble and learned Friend. His noble and learned Friend had attributed part of the present distress to the withdrawal of our trade with the United States. That was a true statement in some degree; but his noble and learned Friend forgot when he assigned the existence of our Corn-law, as the reason for that state of trade, that under the old Corn-law there was no impediment in the way of our trade; on the contrary, the United States took 12,000,000*l.* sterling of our manufactures. The impediment to our trade could not therefore be the Corn-law; but the fact was, the impediment had sprung out of the existing confusion in the monetary system of the republic, which had affected every branch of trade in it. But with respect to the question of protective duties, his noble and learned Friend had admitted that the northern and eastern states were for protection; that the southern states were of a different opinion; that the western were not exactly one or the other, but would be drawn to join with the southern, if we were prepared to offer a constantly open market for their corn; and his noble and learned Friend had proceeded to contend that the consequence of that would be such a pressure, first on the east, and second on the general Government, as would put a stop to their system of protecting duties. Now, whether that would come about, he did not know, but this he would say, that there never was a period in the history of the United States

when the manufacturing classes urged on the Government and on Congress with more earnestness the necessity of more protection for the home manufacturer. Petitions on this subject had been laid before Congress from almost every branch of trade. The general grounds he would not go into, but the specific ground they stated was, the impossibility of their competing with the cheaper labour of the old European countries. Therefore, without any reference to the Corn-laws of this country, or of any other country in the world, the American manufacturers were pressing on their Government the necessity for more protection. Statements had been made that the Government would be strong enough to resist, and that the Compromise-law (he thought it was called) would come into force, the effect of which would be to reduce the import duties until none of them were above 20 per cent. Now, was not that an answer to show that it was not because the feelings of that country were against our Corn-law that our trade with that country had fallen off, but because of other and different causes? If their monetary system should correct itself—usually a tardy proceeding—and they should adhere to the existing law as to protection, there would be then no more impediment to our trade than there was during the last five or six years, which offered such a stimulus to our manufacturing industry. His noble and learned Friend had hinted, that the Government would object to this inquiry for fear of keeping Parliament sitting for three or four weeks longer; but all he could say to that was, that he did not know what sort of an inquiry was intended, nor was he aware how any inquiry of this kind could be finished in so short a time; for his noble and learned Friend probably would admit that one side only should not be heard. If his noble and learned Friend had evidence to bring forward, surely he would not refuse the other party an opportunity of bringing forward their witnesses. In that case, he feared that the only effect of the inquiry would be to set more in opposition to one another the two great interests of the country; and he did think that it would be most unfortunate for the object which his noble and learned Friend had in view—the relief, namely, of those who were suffering so severely from distress—if they brought those great interests into collision just at this period. He came then to the

conclusion, that it would be very inexpedient to concur in the motion of his noble and learned Friend. He had a very high opinion of the good sense of the people of this country—he had a very high opinion of their fairness—he had a very high opinion of their increasing knowledge—and he believed that, however strongly they might feel under the pressure of their distress, they would not ascribe to their Lordships, if they objected to go into this inquiry, any other motive except a conviction that it would not lead to the advantages which they anticipated, and that the consequence of acquiescence in the motion would be more disadvantageous than to refuse it, from the disappointment it would create.

Earl Stanhope said, the distress imperiously demanded relief, and unless the distress was relieved, anarchy was at hand. Unless the distress was relieved it would be utterly impossible to preserve peace. Great expectations had been entertained by others—not by him certainly—of the recent change of Administration; but now, after the distress had been acknowledged from the Throne, and not denied, so far as he could find, in the speeches of Members of the Government, in either House of Parliament, what was the remedy proposed? Why, for one thing, a very considerable reduction in the protection to the growers of corn, the natural and necessary effect of which was to reduce the number of labourers in employ, or the wages of labour of those employed. Then, another remedy was to be given in the new tariff, which was objectionable on all grounds, but most objectionable for its bearing on the manufacturing and handicraft classes of this country, depriving, as it would, numbers of employment, and thereby greatly accelerating the catastrophe which was inevitable. His noble and learned Friend, who had such a command of choice words, and of whom it might with justice be said in the bad Latin which appeared on Dr. Johnson's tomb in Westminster Abbey, that he was *magister verborum gravissimus*, had brought forward this subject with his accustomed power, and in much that the noble and learned Lord said he concurred, but he could not agree in what he had said about the effect of machinery; his noble and learned Friend had opened a totally new and original view of this question; and he said, that since the introduction of machinery, there were a greater number of hands em-

ployed than before. He had presented numerous petitions on this subject; one of them was from a class which was not at all affected by the state of foreign trade; he meant the sawyers of Manchester. By the introduction of machinery into their occupation these persons had been reduced to a state of extreme, of lamentable, and, he might say to the Government, disgraceful destitution. It was undoubtedly true, that generally, the wages of labour had been grievously diminished; they had been beaten down by the master manufacturers to almost starvation price. The gains of the manufacturer had diminished also, and he was obliged to make a great deal more goods for a much less profit. Now, he maintained, that when by the employment of machinery people deprived the persons who did the work before of their employment, they ought to be obliged either to find those persons other employment, or to support them themselves. That was the law of England, as he was sure his noble and learned Friend knew better than he did. It was the law of England that there was no wrong without a remedy; therefore this grievous wrong ought to be remedied. Even for the trifling injury which canals and railways did to private property by passing through it, the companies were obliged to make compensation; and was not labour property? When his noble and learned Friend said that he did not know what the protection of labour meant, his noble and learned Friend showed that he had not lived so much with the labouring classes as he had done. Not long ago he had received a visit from a woollen manufacturer of the West Riding of Yorkshire, not one of those who wished to pull down the Constitution, but one of those old-fashioned Tories now nearly extinct; and he told him that unless Parliament should resolve to protect the wages of labour, and to prevent the rapacity of the manufacturers from starving the operatives any longer, by renewing those ancient statutes which to the year 1813 continued in existence and prevented the depression of the wages of labourers below a certain point, this might perhaps be the last Session of Parliament. It was not to be expected that the labouring classes would continue year by year, without complaint, or remonstrance, or resistance, to submit to this oppression, or to allow themselves to be trampled under the feet of the manufacturers, and have their wages reduced

almost below starving point. In the course of three years and a half mechanical power had been increased 53½ per cent., as he was prepared to show from Parliamentary returns. Was it likely that that could be the case, and that markets could be found for the productions of such a vast quantity of machinery. Alexander the Great had offered a reward to have new countries pointed out to him to conquer; the manufacturers in a short time would clothe the whole human race, and would have no other country to send their manufactures to. The noble Lord opposite had proposed many remedies for the existing distress, but "the sum total of his observations," ended in the repeal of the Corn-laws. The chief causes of the distress were the great increase in mechanical power, and the immigration of labourers into the manufacturing districts, in consequence of another measure which he should never cease to condemn or to oppose—he meant the New Poor-law. Certain men said they wished to equalise the wages of labour (it would be more correct to say they wished to beat down the wages of labour), and they urged on the Poor-law commissioners to send down a number of labourers to the manufacturing districts. These agricultural labourers on the first shock to trade were thrown out of employment, having overstocked the district, and hence the distress. The only remedy for this distress prayed for in the petitions presented by the noble Lord would aggravate a thousand fold the evils complained of, and would produce immediately that which he feared was too rapidly approaching—a revolution in this country. With every intention to vote for the motion, the speech of the noble Lord, and the arguments he had used, had proved to him that no benefit whatever, but delay and delusion, would result from the motion. Talk of two or three weeks? Why, the inquiry would not end in two or three years—they would not last to the end of the inquiry. The inquiry would be into subjects which had nothing whatever to do with the causes of the present distress. If the rent of the landlords and the profits of the farmers were altogether annihilated, it would not benefit those who were distressed, and who were as dear to him as to any noble Lord opposite. Apologising to their Lordships for having detained them, he should sit down, expressing his determination to oppose the motion.

Lord Kinnaird regretted to hear the determination of her Majesty's Ministers to oppose the committee justly demanded on the part of the people, although after his own motion had been opposed on similar grounds he could not be surprised. He denied, that it was the object of the petitioners to make this a Corn-law question. They only asked for inquiry, and it was refused by the Government because in addition to other reasons, they were afraid that the inquiry would convince themselves and others of the propriety of, and would lead to, a repeal of the Corn-laws. Her Majesty's Government had, indeed, admitted, that the distress was great and severe, and that the people had borne it with great patience; yet it was not words and sympathy alone, that they required. The spring time had passed, when trade usually revived; the fearful prospects of the coming winter had been ably exposed by the noble and learned Lord near him; and if they separated, and did nothing, he would almost be inclined to think the question would be as serious as it was deemed probable by the noble Earl opposite. The distress was not confined to the manufacturing districts; towns which were not manufacturing were also affected; but most of all, the town of Liverpool. He had heard, that the right hon. Baronet, at the head of the Government, had, at a private meeting, questioned the delegates about Liverpool, supposing that Liverpool was not as much equally distressed, as it was represented with other towns. He had received letters stating the existence of that distress, describing it as very great, declaring that the ship-builders and carpenters were out of employ, that the ships were in docks with brooms at their heads, and that it would not be less till they had gone further through the mill. One manufacturer said:—

"The existing distress is fearful, though we are said to be suffering comparatively little, looking at the manufacturing districts. As to ship-building here, there is positively nothing doing, and the carpenters are in such a state of distress, from want of employment, that some fears of insubordination are entertained, for they are a class little accustomed to privations, and less disposed to suffer patiently. The shipping interest, you must be aware, is suffering dreadfully; the docks filled with broom-headed vessels, which may be purchased for an old song. Some of the new North American built vessels sent here for

sale, are absolutely rotting, and if they remain long in dock, will have to be broken up. Those who do not find employment for their ships, are every voyage sinking money, and if things do not mend soon, there must be some smashing among the owners, who are staving off the evil day. The porters are badly off, as I know from experience among our own men, who can only occasionally get a job, when there happens to be a pretty good arrival of ships, and most of them have their extra clothes and furniture under pledge, and in many instances I have been induced to lend money to them, to be deducted from their wages, when we have some employment for them, and such as I could place confidence in, and knowing them to be of steady habits."

Another added:

"We shall not mend until we have gone further through the mill. I am quite prepared to hear of failures, to some extent, among the merchants in the American and East-India trade, particularly, and as to the shipping interest, it was never before in such a deplorable state. Every voyage sinks them deeper and deeper, and when a vessel is put on the berth, she may remain for six months, or proceed half empty. As I said before, the docks are full of vessels, with brooms at their mast-heads, many new vessels lying until they are nearly rotten; and ere long, if things do not mend, the docks trust will become the greatest ship-owners, as they will have to take the ships for dock dues owing. There never were so many carpenters out of work, and an old and respectable sail-maker, tells me, that he has not known so many sail-makers out of work for the last thirty-five years. The sail lofts are crowded with sails, which the idle vessels have deposited there and have no occasion for. A respectable merchant informs me that he has a cargo of teak wood, extensively used in ship buildings, which he cannot sell; when imported about six months ago, it was worth 4s. 6d., but no one will now give him 3s. a-foot for it."

This state of things in a great trading town showed that the trade with foreign countries was particularly affected. The principal distress, however, was in the cotton districts, and it must be admitted that a good deal of their distress was owing to the great competition we met with in foreign markets. From year to year, since 1836, we had received lower prices for our goods. Grey sheeting, thirty-seven yards long the piece, sold, in 1833, for 13s. 9d.; in 1834, it sold for 14s.; in 1835, it sold for 16s.; and, in 1836, for 16s. 6d. From that period the price had gradually declined till now it was only 8s. It was the same with other descriptions of goods—the price was low-

ered one-half. We had shut ourselves out from foreign countries and had established manufactures to oppose us. In former years Prussia had made representations to us, declaring that all she required to take our goods was, that Great Britain should admit the produce of Prussia, yet what was the result? Mr. Canning stated, in answer, that independent of the insuperable difficulties to such an arrangement, he would at once declare that England never could entertain the proposed alteration in the Corn-laws. In a communication from Baron Maltzahn, the Prussian minister, to Mr. Canning, dated 25th December, 1825, he found it said that—

"The modifications in respect to commerce which the English legislation has experienced in the last Session of Parliament, and the declarations which his Britannic Majesty's Ministers have made on that subject to Parliament, seem to warrant the expectation that the British Government is disposed to favour the commerce of foreign countries in proportion to the favours granted by those countries to the commerce of Great Britain. Assuming that such is the maxim which the British Government has adopted, it is requisite, in order to apply it to the commercial relations between the two states, to examine what are the principles followed by Prussia, in respect to its commerce with foreign countries, to what extent they are in accordance with the commercial system of Great Britain, and how far Prussia on her side has performed that which the British Government requires of other states? The duties levied on the productions of foreign make or manufacture, are generally only 10 per cent. *ad valorem*; some amount to 15 per cent.; there are some which are more moderate. Prussia has long since fulfilled the conditions which the British Government annexed to the advantages which it is disposed to grant to foreign commerce. That all that is required to enable a reciprocal freedom of commerce to be established between the two states is, that Great Britain, on her part, should permit the free importation of the produce of Prussia. Prussia has been the first among the great powers to declare in favour of liberty of commerce; and she has constantly persevered in that system, notwithstanding the many inducements which might have led her to deviate from it. It would appear to result from all these considerations, that it would in every respect be for the interest of Great Britain to come to an understanding with Prussia upon a commercial system, founded on liberal principles and on a strict reciprocity; and to grant to Prussia from the present moment, the advantages which Great Britain appears disposed eventually to grant to all the other states which shall

adopt the same system. The British Government would thereby give an evident proof of the sincerity of its disposition to favour foreign commerce; and it would at the same time, be the most effectual, not to say the only means of inducing other powers to abandon their system of prohibition which obstructs all commercial relations. Assuming then, that it will be agreeable to the British Government to learn that Prussia is disposed to conclude a treaty of reciprocity, the court of Berlin has directed the undersigned to propose to his Excellency Mr. Canning, to enter into negotiations for that purpose. It would be ready to engage to make no change in its existing system for a certain number of years, and specifically not to increase the duties of import on English merchandise. But on the other hand, it expects that the British Government will allow the importation of Prussian corn subject to such duties as shall not exclude the possibility of carrying on that trade with a reasonable profit, and that it will grant greater facilities than it does at present to the importation of timber coming from the ports of Prussia. As the produce of English industry finds a very extensive market in the Prussian monarchy, whilst, on the other hand, Prussia can only import into England the produce of its soil, and principally corn and wood, it is evident that it is only by granting facilities to the importation of these two articles, that it is possible to establish the relations between the two countries on a footing of reciprocity."

To which there was a reply made at the Council-chamber, Whitehall, Jan. 17, 1826, by the right hon. the Lords of the Committee of Council appointed for the consideration of all matters relating to trade and foreign plantations:—

" Their Lordships having given their most serious and attentive consideration to the various points adverted to in the above-mentioned note, are pleased to direct that a copy of the following minute be transmitted for the information of Mr. Secretary Canning. The object of this note being to propose to enter into a negotiation with his Majesty's Government, for affording, if possible, a greater scope and facility to the commercial relations between the two countries, the Lords of this committee cannot proceed to offer the observations which have occurred to them upon the contents of the Prussian note, without first doing justice to the generally enlarged principles which are professed by the Prussian government in matters of commerce, and without acknowledging the satisfaction which their Lordships feel at the assurance that it is the wish of that government to encourage, as much as possible, the practical application of those principles in the Prussian dominions, and in their relations with other states. The present overture is founded, as Baron Maltzahn states, upon an inference derived by the Prussian

government from the proceedings in the last Session of Parliament, that 'his Majesty's Government is disposed to favour the commerce of foreign states, in proportion to the favours granted by those states to the commerce of Great Britain. And he added, independently, however, of this insuperable difficulty, it becomes his Majesty's Government, in the judgment of this committee, when a proposal for altering our Corn-laws is made to us by a foreign government, as a condition of something to be done or omitted by that Government, at once to declare that we never can entertain such a proposal. It is the decided opinion of this committee, that upon that subject, involving, as it does, such immense interest, so closely connected with the well-being and comfort of all classes of the community, and surrounded, as it is, with so many peculiar difficulties, our legislation must, at all times, be governed entirely by considerations originating and centering among ourselves, and that it is only to be looked at incidentally, as affecting our relations with other states. In respect to the duties on timber, they have been imposed, and are continued, for the purpose of revenue; they are a tax upon consumption, to which all the observations of the paragraph, No. 7, in the Prussian note, in vindication of the like taxes in existing Prussia strictly apply."

We thus put an end at once to the valuable commerce which might have taken place between this country and Prussia; and we had raised up a formidable competition in these markets. We had begun with Prussia, and we had been doing the same thing with regard to America. He found that in a despatch from Mr. Addington to Mr. Canning, dated Washington, May 30, 1824, Mr. Addington writes,—

"I have only to add, that had no restrictions on the importation of foreign grain existed in Europe generally, and especially in Great Britain, I have little doubt that the tariff would never have passed through either houses of Congress, since the great agricultural states, and Pennsylvania especially, the main mover of the question, would have been indifferent, if not opposed to its enactment."

That tariff passed the Senate by a majority of four voices; in the Congress, the third reading by a majority of three only; and finally, passed by a majority of five; every member, sick or well, being present. That was the consequence of not meeting foreign countries fairly. They had passed measures to encourage manufactures, and they were forced to supply themselves because we would not take what they had to give us, in exchange for our manufactures. In answer to the argument that there was a want of power to consume, he

had only to say that in the two years before Mr. Clay's tariff the Americans did consume a great deal more than they did afterwards. In 1831, the value of exports to America was 9,053,583*l.*; but in 1832, Mr. Clay's bill, the new tariff, came into operation, and at once curtailed our trade to one-half, the annual value of exports being only 5,468,272*l.*, and at that time the English minister at Washington declared that the tariff would not have been carried if any alteration had been made in the trade in Corn in this country. In 1833 the trade rather recovered, the exports amounted to 7,579,699*l.*; in 1834 the value was 6,844,989*l.*; then came two years of increased prosperity. The value of exports in 1835 was 10,568,453*l.*; and in 1836 it was 12,425,605*l.* The next year, 1837, the value of the exports fell to 4,695,225*l.* In the two years of 1835 and 1836 the trade had greatly increased, but how had the goods been paid for? The people of the country took shares in the banks and in railroads. The goods were paid for in something they had to give, or which they promised to give. The securities might be considered worthless now. But these facts showed that they had the power to consume a greater quantity of goods if they had only the means of paying for them. In 1838 the trade rallied, and the value of the exports reached 7,585,760*l.*; in 1839 they came to 8,839,204*l.*; in 1840 they had fallen again to 5,283,020*l.*, although in the last year he believed the amount had been larger. This showed that the American people would consume much more if they could pay for it. At New Orleans parties were ready at once to take consignments from this country if they could send us consignments of flour. One of these parties had gone to France, to offer to take consignments of their woollen and cotton goods on the same terms, and he was met by the persons stating there that the home trade was so good, they must decline his offer. Another circumstance arising out of this state of things was worth mentioning. In America goods were lying unsold; and this answered the observation of the right hon. Baronet, that the exports had increased during the six months of this year over the six months of the former year. The home consumption of goods had fallen off, and the manufacturers had exported their goods, hoping to get something by

them, thinking that selling them at a loss was better than letting them lie in the warehouses here. Mexico having adopted what he considered the wise course of commercial policy, a Mexican merchant came over to England, intending to give large orders for English goods, but he found that there were English goods in the American ports which he could buy cheaper than the people could afford to manufacture them for here. We only took from America her cotton and her tobacco, and the latter was only taken at a very high duty. We were raising in America manufactures to compete with us. At present the estimated annual produce of the cotton manufacture of the United Kingdom was 34,000,000*l.*, which is three times more than the whole amount of capital invested in the cotton manufactures of the United States, which, as appeared by returns made to Congress by the law of 1840, was 10,220,472*l.* The number of persons now employed in the cotton manufacture of the United States was only 72,119, whilst in Great Britain the number was 1,500,000. We were now encouraging that country, by every means in our power, to manufacture for themselves—a country in which they had every advantage over us, except capital, and with their cotton close at hand—which had raised the consumption of cotton from 100,000 bales in 1826 to what we consumed in 1822, that is, 400,000 bales. All he said was, that if they refused inquiry they would refuse what he maintained was not wholly directed against the Corn-laws, they would refuse an inquiry to see how they could enable persons to get relief. They could obtain relief to-morrow if they would take American corn at a fixed duty of 6*s.* The only objection he could conceive was the treaties with other countries. He did not think that the agricultural interest could object, for as the price of carriage would have to be added to the 6*s.* duty and the price at New York, they never could have corn at a lower price than 55*s.* or 56*s.*, and yet this change would at once enable the manufacturers here to consign their manufactured articles to America, and we should thus set our looms going. He would not detain their Lordships at greater length, but would cordially support the motion of his noble and learned Friend.

The Marquess of *Clanricarde* said, that when his noble and learned Friend near him had concluded his very able and most



eloquent speech, not being, like the noble Lord who had just sat down, quite destitute of hope, he had been anxious to hear how such a motion and such a speech would be replied to; and he owned that he was surprised at the weakness of the speech by which his noble Friend opposite (the Earl of Ripon) sought to induce their Lordships to reject the motion which had been honestly and powerfully advocated by his noble and learned Friend, because, except with reference to a single argument which his noble and learned Friend dismissed with two or three sentences, the noble Earl had hardly applied himself to the speech of his noble and learned Friend, or to the facts of the motion before the House. What the noble Earl did argue, throughout four-fifths of his speech, was the corn question, because, having pre-determined in his own mind that his noble and learned Friend would argue the corn question, the noble Earl would not attend to any other of his cogent arguments. He did not think this was the proper time for arguing the corn question. After arguing the corn question, however, in England, the noble Earl had gone to America, and then showing that they were prosperous when they took twelve millions of our goods, he added that they were afraid of competing with us because our wages were so low. Here the noble Lord had touched the strongest argument on the Corn-laws, because if they did take our manufactures, we were obliged to be paid in worthless scrip. And upon the other question, as to wages, they evidently did not depend upon the high price of food. If we imported our food from America, and yet if wages were high in America, there was an end of the argument that high prices were necessary to produce high wages. It was not, perhaps, the argument of his noble Friend (the Earl of Ripon), but it was the argument of those who supported his noble Friend with their votes, and who assisted him perhaps more by their votes than by their speeches. The chief argument, however, by which this motion was met was, that if it were granted it would cause disappointment to the people, and would therefore aggravate the evil. He said that this was a mockery. Could they tell a man who was reduced to the lowest point of despair, that if they granted a committee to institute an inquiry, which might raise some little hope, they would only aggravate the evil? If they would not enter into an inquiry merely because

examination might make matters worse, they would by that very statement reduce the condition of the people to a worse state than it could be after any inquiry. The noble Earl who usually sat at the Table (Earl Stanhope) did point out many other things into which they must inquire; and he had argued much more wisely than the noble Earl opposite, when he said that on account of the vastness of the inquiry he could not consent to the motion. Let them look carefully at the state of the country now that Ministers proposed to prorogue Parliament without the slightest intimation, happen what may, that Parliament will meet again at an earlier period than usual. They had heard nothing of that kind stated. Let them look at the state of things which the delegates had represented, and which Sir Robert Peel declared to be incontrovertible. Distress was shown to exist in all the commercial, manufacturing, and mining districts of the country. He had been informed also that it began to be felt in the southern and northern agricultural districts. He did not vouch for the fact, but he believed it; and he defied any man who knew the interests of the country to deny that it must come to that. The agriculturists must be sufferers by the distress which all others felt in such a great degree. With all this before them what did Ministers propose to do before Parliament rose? Their Lordships had seen all the measures except one that they proposed. They had passed the tariff and the Income-tax. It was monstrous to suppose that the new tariff would revive trade during the next six months. What was the other bill to be brought before them? The Poor-law Bill. That measure might be good in itself. There were rumours about town of meetings to be held, and of declarations to be made, that by this bill the Ministers would stand or fall. The Government had given no answer to the rumours, and they were, perhaps, to be believed. With regard to the Poor-law, he believed it to be the best measure that could be proposed; but how could the Poor-law Bill remedy the state of things existing at present? The poor-rates were everywhere rising, and even if they confiscated the whole of the property in the most distressed districts, he doubted whether they could maintain the poor. The question of poor-rates pressed upon every part of the community, and upon every one charged with the payment of the increased poor-rates they had placed

the grievous burden of the Income-tax. He thought that enough had not been said that night as to the state of distress among the manufacturers, and among the trading interests in detail. In the very town in which they were sitting, though the influx of company had been quite as great as usual, although the town had been very full, he believed that the shopkeepers would tell them, almost without an exception, that they had hardly ever had so bad a season. The distress was great throughout every part of the country. It was incumbent upon Parliament to look into this state of things, and see if they could not propose some alleviation during the coming winter. His noble and learned Friend had only done justice to the suffering inhabitants of the country when he spoke of their patience. It was perhaps unwise to hint at the possibility of a change in this respect; but human nature could only carry forbearance to a certain extent. It was impossible to state to what extreme famine might drive the people; and it had been said elsewhere that Government would feel it its duty to maintain the public peace. They might, indeed, send down a sufficient number of troops or constables to enforce the supremacy of the law, but that was not establishing tranquillity; it was only taking precautions that in case of civil war they would be victors. But supposing thousands, and hundreds of thousands, to be reduced to a state of famine, was it to be said that Ministers might retire from their duties and do nothing? However great might be their influence, he did not believe that it would have power enough to induce Parliament to relinquish its duty, even were they disposed to abandon theirs. It might be inconvenient to some to enter into this wide and deep inquiry, but the state of the country was such, that some inconvenience must be submitted to—if not, worse might follow. Was it fit, as his noble and learned Friend had asked, to tell the people that they must endure their sufferings, because Ministers could not consent to the inconvenience of Parliament sitting a week or two longer? Before he sat down, he wished to say that he did not concur in an observation made by his noble and learned Friend, on what was supposed to have fallen from Lord John Russell in another place. Nothing could be more mistaken than the notion upon this subject prevailing out of doors. What Lord John Russell had stated, was that those who represented him and others who

acted with him as hostile to the agricultural interest, must have heads as dense as the clay they cultivated. His Lordship had not spoken, nor had intended to speak, disrespectfully of any class of persons, but merely to allude to those who mistook or misrepresented his views and opinions. He should undoubtedly vote for the motion of his noble and learned Friend, unless he heard from some Member of the Government that they intended to adopt some remedy, whether temporary or permanent, or if they could not find one to call Parliament together to consider what course ought to be adopted: No man with a safe conscience could say that matters ought to remain as they were. The distress was not denied and could hardly be exaggerated, and was it fit that it should be left to haphazard, or rather with the certainty that the condition of such vast masses of the people would daily become worse? Not only might numbers of our fellow-creatures perish, but property might become insecure, and something like that state of things, which a noble Earl (Earl Stanhope) had called anarchy, might be the result.

Viscount Melbourne said, that it was not his intention to enter into the multifarious topics and arguments introduced into the discussion. His noble and learned Friend had introduced his proposition by a speech upon which no praise could be bestowed that was not deserved. He was always able, always eloquent; but he had never heard him deliver an address more temperate, or more free from exaggeration. It was impossible to deny the melancholy, the awful state of some parts of the country—it was useless to attempt to disguise the fact; and making allowance for that degree of heightening which was natural to those who wished to promote a favourite object, it must be admitted on all hands that the amount of distress was both afflicting and alarming. Suffering and failures among the manufacturing part of the population had occurred before, but what peculiarly impressed him at the present moment was, that there appeared to be no spring or elasticity in the country to enable it to recover from its condition. That consideration must fill all thinking minds with apprehension; but at the same time, it was not to be disputed that there were difficulties and dangers to be looked forward to as not only possible, but even probable. A country subsisting to a great extent by manufacturing industry, with vast masses of population dependent upon

the demand of foreign countries and our own for manufactured goods, always stood upon the brink of a precipice, or at all events, was exposed to the risk of a mighty danger when those vast masses were thrown out of employment. The destitution of such persons was a calamity which must, by a wise statesman, be contemplated. The strength of the public mind, patriotism and high feeling might be able to furnish an alleviation, if not a remedy; and admitting the extent of the evil, it was unquestionably fit, in the present case, to consider whether any remedy, temporary or otherwise, could be afforded. After listening to the speech of his noble and learned Friend, and, indeed, to the whole course of the debate, he must say that it did not appear to him that any good purpose could be answered, or that it would be wise or prudent, if the House appointed the select committee. His noble and learned Friend's speech might be said to have been solely directed to an alteration of the Corn-laws; true it was that his noble and learned Friend had added, that he did not exclude other topics, such as the questions relating to machinery or the currency, but he was not aware that any good could be done by the inquiry. He perfectly agreed in what had been stated by several noble Lords, that if there were any chance of discovering the means of alleviating distress, the period of the Session at which the investigation was to be commenced was an objection that ought not to be entertained for a moment. What the House had to consider was, whether the course proposed was likely to be attended with a beneficial effect. His noble and learned Friend had said that he did not exclude other questions; but his whole speech had related to the Corn-law: and when the House was called upon to appoint a select committee, it ought to recollect the cases in which it was usual to take that course. If the Government were distrusted, and it was thought that it was unwilling to adopt necessary measures—if its integrity were doubted, or it was supposed that it did not see a question in the right point of view, in those cases a select committee might be usefully appointed. Government might ask for a select committee in order to strengthen its own hands and support its own views. If the subject were one of novelty and difficulty, then the previous consideration of it might properly be delegated to a select committee. Such was not the case here. If there

were a question which more than any other had been inquired into and discussed, it was that of the Corn-laws. He did not mean to assert no further advantage could be gained by a fresh investigation; but surely the House was ripe enough to determine the matter without new information. Their Lordships would also be pleased to recollect that a bill had already been passed upon the subject in the course of the present Session; he did not say that that bill was a wise one—on the contrary, he did not think it founded upon sound principles; but it had been adopted by Parliament, and it was impossible to deny that great danger and evil arose from perpetual changes in legislation. The effect of appointing the proposed committee would be to produce a general opinion that the question of the Corn-laws was still afloat and unsettled. He believed that the apprehension of change would do more harm than any new inquiry could possibly do good. It would do more harm, in his opinion, than even the maintenance of the existing law, even if it were fraught with all the evils and objections that had been laid to its charge. He was not of opinion that the whole of the evils of the country had been occasioned by the Corn-laws; consequently he did not think that an immediate remedy would be found in their repeal. Being convinced that the appointment of a committee would be productive of no advantage, but the cause of much evil; and that if an alteration of the Corn-laws were expedient, the House might proceed to make it without previous inquiry, he could not vote for the motion of his noble and learned Friend.

The Earl of Radnor certainly intended to vote for the committee, and could scarcely believe, until he saw it, that the noble Viscount who had just sat down would vote against it. The state of the country was admitted to be most calamitous, although some of those who asserted that the distresses could not be exaggerated, did so with a sort of reserve or drawing back, as if they did not quite believe what they were not prepared to deny. Had those noble Lords read the report of the commissioners sent down to inquire into the condition of Stockport? If they had, they must be aware of the true state of the case in that afflicted town six months ago, and every day since matters had been gradually growing worse. Was it fit, then, to make some attempt to lessen the amount of distress? The noble Viscount contended

that inquiry might do great harm and could do no good; but was there any good coming from any other quarter? Had the new Corn-law, the Income-tax, or the tariff, done anything to relieve distress? It was promised that the new Corn-law would do great good: had it done it? It was said that the duty had been reduced by it from 23s. to 9s.; but what advantage was this reduction when the 9s. was just as prohibitory as the 23s.? He had moved for a comparative return of the quantity of wheat admitted up to this time last year and in the present year; and it appeared that only 49,000 quarters more had been admitted this year than last; of that 49,000 quarters, 40,000 were colonial wheat, upon which a duty of only 1s. was paid. The price also was higher this year than last. Thus it was evident that the Corn-bill had done no good. Then, would anybody say that the Income-tax had done any good? What good had arisen from the tariff? On the contrary, injury would be inflicted by it; and these three measures formed the whole of the Ministerial budget. This was the end of it, and all that Ministers intended to do. The right hon. Baronet at the head of the Government was reported to have said, "These are my measures." He had called himself a doctor, and had produced his remedies. "Try them," said he, "and see if they will do you no good." Not only had they done no good, but matters had become worse and worse. If Government could do nothing, was that a reason why Parliament should do nothing? Surely a committee might make inquiry—inquiry could do no harm. The noble Earl (the Earl of Ripon) had objected because the proceeding would not be conducted impartially. How did that appear? His noble and learned Friend (Lord Brougham) had told the House what enlightened merchants and manufacturers were prepared to prove. Were their facts and opinions worth nothing? Were they foolish people who had imposed upon the weakness of his noble and learned Friend? Those who voted against the motion must either conclude that his noble and learned Friend did not himself believe what he had stated he could prove, or that what he could prove from the mouths of experienced and intelligent men was not worthy of consideration. When the last Ministers were in office, they produced their measures—measures which would have done good; but they were rejected.

Then the present Ministers came into office and produced their measures, promising that those measures would do everything, but in fact, they had done nothing. Was the country to be left for many months, during the whole autumn and winter, without any attempt to alleviate the existing state of suffering? Did Ministers admit their own incompetence, and yet refuse to allow the House to endeavour to find out a remedy? Distress was not only increasing, but it was reaching a class of persons who did not like to go into the side-door of a pawnbroker's, but were admitted at the front door, and pawned their plate, instead of what were technically called soft goods. The business of pawnbrokers was thus changing, and distress was ascending higher and higher. Was it intended to be said that in this state of things nothing ought to be done? The foolish clients of his noble and learned, but weak-minded Friend, insisted that the Corn-laws had a great deal to do with distress; and supposing, by some chance, Parliament became convinced that they were in the right, was not the New Corn-law to be repealed merely because it was enacted two months ago? If so, what was the meaning of the little clause near the end respecting the repeal of it? He believed, that the immediate effect of a repeal of it would be to revive trade and relieve distress. Such had been the case in 1826, in consequence of the mere proposal to give Ministers the power of introducing 500,000 quarters of wheat by order in council. When it was urged in the debate that such a measure would have no immediate effect, Mr. Canning answered it, by producing letters from practical manufacturers asserting that instant and considerable benefit had been produced. The very hint of an intention to do something to relieve the distress, at that time attributed to the Corn-laws, had been followed by relief. If Ministers would now only undertake to inquire, the same result would follow. On these grounds, he should vote for the motion, without saying one word respecting the lateness of the Session, an argument which he did not believe any noble Lord would venture to urge.

Lord Wharncliffe remarked that in 1826 no corn was to be admitted under the price of 80s., while the duty was to be 12s. [The Earl of Radnor: It was not to be higher than 12s.] True, the noble Earl was correct. In common with other noble

Lords, he felt great admiration for the speech of the noble and learned Lord (Lord Brougham), but it could not be disputed that his main argument was, that the Corn-laws occasioned the prevailing distress. When, however, noble Lords talked of repealing the Corn-laws, it ought to be recollected that other interests were to be consulted besides those of the manufacturers; and if Parliament evinced any disposition to repeal the present law, he was satisfied that the fears thereby introduced among agriculturists would greatly aggravate the prevailing difficulties. If they thought that any good could come of an inquiry, they would be most blameable if they refused an investigation; but he could not help thinking that the repeal of a law which had been only passed eight weeks ago would tend to aggravate the distress which unfortunately prevailed. He would not trouble the House at any length at that hour of the night, but would merely conclude by remarking that those noble Lords could scarcely be serious who expected the Government to pledge themselves to call the Legislature together whilst yet events were in the womb of fate. He would make no such promise on the part of the Government, but would content himself with saying that they would take every measure they thought necessary and expedient whenever they found that exigency arose.

Lord Brougham replied, that he did not accuse the noble Lord in the other House of Parliament of having applied the expression, "the farmers' wits are dense as the clay they till," in any offensive sense. On the contrary, he was well aware that that noble Lord had never intended to use the expression in the sense which it was attributed to him; and to show that he could not have had his noble Friend's expression in his eye, he had made use of other phrases as to the manufactures, which had never been applied to them by any person in any way. With respect to the motion before the House, he had heard nothing to shake his conviction of the high expediency, of the absolute necessity of such an inquiry. What had been the objections urged to it? It had been said, that it was to be an inquiry only directed to one point—that of the Corn-laws. He denied that such was the case. It might have been the inference from his arguments that the distress which all admitted to exist, which all allowed to be most grievous, was not owing to the

influence of the seasons—was not owing to machinery—was not owing to over-production—was not owing to faulty legislation at home or abroad. If these four causes should be excluded as causes of distress—if all should think that he had demonstrated that the distress was not owing to them—if all agreed in that, then, indeed, might noble Lords say that only one cause remained behind, and that was faulty legislation with respect to corn, and not only with respect to corn, but with respect to trade generally. No one could approve more than he did of the changes introduced by the New Customs Bill. He approved of the relaxation of prohibitory duties just as much as his noble Friend near him (Lord Stanhope) disapproved of them. He only lamented that the change had not gone far enough; that it was limited in its extent; and that it left many important articles untouched. But for the very same reasons as he would wish to see prohibitory duties removed from corn, he would wish to remove them from many other articles; and three years ago he had presented an unanimous resolution of the Corn-law repeal delegates against all protecting duties generally, therefore he denied that this was a debate upon the Corn-laws. It was said, however, that an investigation would cause alarm among the agriculturists, and would produce general commercial distress. But he believed that in many respects the result would be to tranquillise those whom it was stated it would alarm. Did their Lordships think that no benefit would result from a full discussion, from a searching inquiry as to what the real cause or causes of distress might be? They would remember that they were agreed only as to the fact of distress existing. As to the cause they all differed. Upon that point there were almost as many opinions as there were speakers in the debate. Even those who agreed that restrictive laws formed one cause of the distress, differed as to the lengths to which they were inclined to go in removing them. He, for one, did not by any means ascribe these distresses solely to the Corn-laws. He believed that the Corn-laws occasioned a great part of the distress. But let them recollect that when men were plunged into misfortune, they were apt to throw the entire blame upon what appeared to them to be the most conspicuous and apparent cause. Let them remember that, and let them remember that if it were only to show how

exaggerated such a view of matters as attributing the distress solely to the Corn-laws was—if it were only to show that those who entertained this opinion had adopted false estimates—only to satisfy them of their mistake by a full and fair inquiry—if they should come to the conclusion that wholly or in part the Corn-laws had been unjustly charged as having occasioned the distress, and that their repeal was in whole or in part falsely looked to for a remedy—if nothing more should result from the inquiry than this, then he should turn round on those who were in favour of the Corn-laws, and ask them whether there was anything that could more help their cause, that could more forward their views, than such an inquiry? But they would say that there was no prospect of their coming to any such conclusion. Did they say that—those who held the Corn-laws to be perfect? They surely could not maintain such a doctrine. If they believed that the Corn-law was a good law—if they conscientiously believed that, they could have no fear of the result of an inquiry—they should be the last men to oppose an investigation. Was it not possible that the result of the inquiry might be to show that he was wrong in his statements with reference to the seasons? It had been said that while good seasons continued there co-existed general prosperity, but that, as in the last four years, there had been bad harvests, there had been also distress. He certainly admitted that such had been the fact, and that the fact gave plausibility to the doctrine. Now if it could be shown that the fluctuations of the seasons produced distress, surely such a proof would be a boon to the friends of the Corn-law and in their creed to the country at large. Their Lordships would permit him to say that, if it should so result, that it appeared that not man was to blame, but that it was the seasons which produced the distress, anything more tending to pacify, to tranquillize the country, to maintain the peace and good order of society, and give stability to the Government, it was out of the power of his mind to conceive. These were among the results which an inquiry might lead to, for he would be a bold man who should say that no inquiry could throw light upon a subject on which so many conflicting opinions were entertained. Would any man try to convince him of this, that if they were to go into inquiry, that

all the manufacturers, that all the merchants, who would be examined before them, would fail in giving them facts which could possibly throw light upon the subject? For they must be prepared to affirm that proposition, to negative the possibility of new information being attainable, before, in the present state of the country, and after what Parliament had done and had left undone, they could agree to reject the inquiry. But it had also been urged that, if granted, it would be carried on with partiality, with prejudice. If he had not said enough to show that he himself entertained no prejudice or partiality upon the subject—that he should be ready to enter upon the inquiry as calmly, as judicially, as if he were on the Bench administering justice, then he should in vain hope that any asseverations of his own impartiality, a freedom from all excited feeling would alter the opinions of their Lordships, or change their expectations. But let him rather proceed to another answer which had been made to him, and remind their Lordships that the course which he wished them to take had been on another occasion adopted. Manufacturing distress! Had there never been any distress of another kind? Had they never lived through times of agricultural distress? And what had happened at such periods? In such times had there been no inquiry—no investigation—nothing but legislation or non-legislation? No such thing. What if the question had been entertained—what, if an inquiry had been then gone into—what if such motion as the present had been carried—what if the Government had brought them forward—what, if the words of the motion before the House were the very words in which a committee was moved for and obtained by the Government upon the agricultural distress in 1822? It was said that such motions as the present were only brought forward with the intention of embarrassing the Government; but what if a similar motion was made by a Government itself; and what if that motion had obtained the concurrence of Parliament—a motion exactly like the present one, with the exception of the change of the word agricultural into manufacturing? Then why not treat manufacturing distress as you had done agricultural? But great stress had been laid upon fears of alarming and exciting the country. Now, he believed that the inquiry would tend more than anything else to tranquillize the

agriculturists. He would give an instance to show the probability of this—an instance which was too recent to be denied, and too striking to be forgotten. He would recall their Lordships' attention to the alarm which existed among the agriculturists on the commencement of the tariff. Those who were concerned with the grazing counties in the north and west of England knew, and would bear him out, when he stated, that there never was a moment of greater alarm—of greater inconvenience—experienced in agriculture, than was felt at the time he alluded to. The panic occasioned by the false idea of the vast number of foreign cattle which would be imported, was almost greater than he thought rational beings could have felt. It was advertised in more places than one, that directly the tariff came into operation, meat would be sold for 4d. per lb., and in some places even, as it was stated, for 3d.; and the result was great alarm, great inconvenience, for some weeks a desertion of the markets. But all this panic had already vanished. In no one county of England could they find a vestige of the late panic. The people had come to their senses, they found that it was a delusion under which they had laboured. Now, here was an instance of the effects of reflexion and inquiry. And sure he was, that if those who were so much alarmed at the prospect of the introduction of foreign corn were to enter into a calm but searching investigation of the matter, their fears would be very much lessened if not entirely put an end to. But the noble Viscount (Viscount Melbourne) who had been so well answered by the noble Earl (Earl of Radnor) that he ought to apologise for adding a word on the subject, had maintained that these distresses are necessary parts of our commercial system, and that there is no use in training the cause of what are necessary and remediless evils. He denied their being necessary, and he denied their being remediless, as long as you refuse to inquire into the remedies propounded. He had none of the gloomy apprehensions which seemed to fill his noble Friend's mind, when contemplating the artificial state from mercantile affairs. He had unbounded confidence in those resources, which providence had permitted us to amass beyond all other nations, and felt no alarm at their failing to uphold our prosperity; if the hand of man, the foolish measures of our own bad policy were only

withheld, and full scope given to our commercial powers. If indeed, we are fated to undergo so sad a recourse as his noble Friend seemed to have made up his mind to witness; if the course of wealth like that of empire be irrevocably appointed to take its way westward; if the Miracles wrought by gregarious industry, concentrated skill, and accumulated capital, must no more be displayed among us, but removed to the banks of the Hudson and the Ohio; we must resign ourselves in humble submission to the decree; but it is our bounden duty first of all to be sure that this sentence has gone forth, that we are not ourselves doing the work of our own destruction, and that we have not within ourselves the means of arresting the catastrophe. The noble and learned Lord concluded by saying, that the paramount importance of the subject had induced him to trespass so long upon their Lordships' attention.

Their Lordships divided:—Contents 14; Not-Contents 61: Majority 47.

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Their Lordships adjourned at a quarter-past eleven.

## HOUSE OF COMMONS,

*Monday, July 11, 1842.*

**MINUTES.] BILLS.** 1<sup>o</sup>. Public.—Wide Streets (Dublin). 2<sup>o</sup>. Ecclesiastical Jurisdiction; Chelsea Hospital; Militia Ballots; Military Savings Banks; Testimony Perpetuating.

*Committed.*—Linen Manufactures (Ireland); Turnpike Acts Continuance.

*Reported.*—Fisheries Treaty; Slave Trade Treaties Act Continuance; Parish Constables.

3<sup>o</sup>. and passed:—London Bridge Approaches Fund.

*Private.*—2<sup>o</sup>. Bishop of Derry's Estate; Mostyn's Estate; Lord Southampton's Estate; Calland's Estate; Verconsin's Naturalisation; Pilkington's Estate; Marquess of Tweeddale's Estate; Lord Lorton's Estate.

*Reported.*—Ver's Divorce; Cambuslang and Muirkirk Roads (No. 2); Paterson's Estate; Davidson's Estate; Duke of Cleveland's Estate; Viscount Fitzwilliam's Estate.

**PETITIONS PRESENTED.** By Mr. Ord, from Newcastle and Gateshead Religious Freedom Society, and from the Tyne Union, and from Well's Union, against the Poor-law Amendment Bill.—By Sir J. Tyrell, from Chairmen of Medical Practitioners (Essex), for Amendment of the Poor-law Bill in relation to Medical Relief.—By Sir H. Douglas, from Merchants of Liverpool connected with Newfoundland, to raise the Qualification of Electors and Representatives in that Island.—By Mr. Sergeant Jackson, from United Dioceses of Cloyne, Cork, and Ross, from Kilnamartery, and Diocese of Armagh; and by Captain Jones, from Killier and Clomure, for Alterations in the System of National Education (Ireland); and from Londonderry and Newtown Umeedy, against the Tobacco Regulations Bill.—By Mr. T. Duncombe, from a Public Meeting at Sheffield, for Inquiry into Holberry's case.—By Mr. Colville, from West Hallam, against the Grant to Maynooth.—By Mr. J. O'Connell, from Wm. Patrickson Pike, against any Increase of the Stamp Duties (Ireland).—From Wm. Bridle, complaining of being Dismissed from the Governorship of Ilchester Gaol, and praying for Inquiry.—By Mr. Ferrand, from Queenshead, for a Law to regulate Wages.—From a Meeting at Dunfermling, for a Repeal of the Corn-laws.—By Mr. J. O'Connell, from Mr. Gordon, complaining of the Court of Chancery (Ireland) Bill; and from James O'Neill, and Mackey O'Neill, for Inquiry into the Irregularities of the Cumber Post Office.—From Bakers of Dublin, for an Act to Regulate their Hours of Work.—From Schoolmasters of the Presbytery of Selkirk, for Improving the Condition of Schoolmasters (Scotland).

**MINES AND COLLIERIES COMMISSION.]** Mr. *Stansfeld* wished to ask a question of the right hon. Baronet the Secretary for the Home Department, relative to the second report of the Mines and Collieries Commissioners. The commission bore date the 20th of October, 1840; and their first report was dated the 21st of April, 1842. In that report they said that they had given a faithful account of the state of the children and young persons in mines and collieries as to their bodily condition, but the effect of the system on their morals would be best collected from their next report. Now, what he wished to know was, when that report would be ready?

Sir *J. Graham* said, as the hon. Gentleman had informed him of his intention to put this question to him to-day, he deemed it right to make a communication to the commissioners on the subject, to which he had not yet received an answer. He had, however, received a verbal communication, stating that the report was in progress; but he was not able to say whether it would or would not be ready before the end of the Session.

**SPIRITUAL INSTRUCTION FOR CATHOLIC PRISONERS.]** Mr. *T. Duncombe* wished to know whether her Majesty's Ministers intended to carry out the recommendation contained in the report of the Criminal-law commissioners, with respect to providing spiritual instruction for offenders of the Roman Catholic religion confined in her Majesty's gaols.

Sir *J. Graham* could not do better, in answer to the question of the hon. Gentleman, than refer to the terms of the report itself:—

"It would not be judicious for the Government to withdraw the consideration of the subject from the Legislature. They could not do so without opening a question of the greatest national importance—the greatest delicacy—and one on which Parliament had already decided."

**MUNICIPAL CORPORATIONS.]** Mr. *Leader* said he rose to make a complaint of what he considered a very unfair and dishonest act on the part of some Members of the Government. On Saturday morning, a very few minutes before 3 o'clock, the Municipal Corporations Bill was read a third time and passed. Now, it would be in the recollection of the House, that a few evenings ago, when it



was moved at a late hour at night that the bill should be committed, he objected to proceeding with that stage of the measure without further discussion. He had, however, waved his objection on the express understanding that the bill should not pass until it was fully discussed. He had given way, because he did not wish to obstruct the Government. At that time he had stated that the most material clauses of the bill, those introduced by the hon. Member for Worcester (Sir T. Wilde) had been expunged, and that the bill was wholly different from what it had been. But, contrary to the good faith of hon. Gentlemen opposite, he found that the bill had been passed, at a late hour, without observation. It must have been very late when it passed, because he voted on the question of adjournment, and had then gone away, not thinking that the bill would be proceeded with. A breach of faith had, therefore, been committed; and if Gentlemen opposite meant to conduct business in that manner, they must expect their political opponents to throw every possible obstacle in their way. In future, therefore, he should adopt every Parliamentary means in his power to oppose any Government bill of which he disapproved. That was the only mode of meeting so unfair and unjust a proceeding as that which had been adopted in this instance.

Sir R. Peel said, he was not aware that the bill had been read a third time. If the hon. Gentleman had communicated his wish on the subject, he was sure the bill would not have been read a third time. He thought it was very probable, as the bill had stood some time for a third reading, that the motion was made by some hon. Gentleman who was not aware of the understanding referred to by the hon. Member. He was sorry that such a circumstance should have occurred, but he was sure that the third reading had been moved by some hon. Member who was not cognizant of the understanding which had been alluded to.

Sir G. Clerk said, the bill had stood for a third reading for several nights. He was not aware that it was intended to move any amendments to the bill; and the Attorney-General, who moved the third reading, understood that no amendment would be moved.

Mr. Leader said, that for three months the bill, night after night, had been post-

poned. The Attorney-General, he thought, must have known that it was not intended to suffer the bill to pass without discussion, especially with reference to the clauses of the hon. Member for Worcester, which had been expunged.

The matter ended.

LORD AUCKLAND.] Sir R. Peel: Sir, in rising to move the Order of the Day for the House resolving itself into a Committee of Supply, I wish to notice a statement made by a noble Lord opposite (Viscount Palmerston) on the last night, or the last night but one, when the House met. That statement was made with reference to the policy pursued by the late Government as to the war in Afghanistan. The noble Lord stated, that her Majesty's present Government had suggested that Lord Auckland should remain as Governor-general of India, and that application had been made to him by her Majesty's Government for that purpose. Thence the noble Lord had inferred that there was an approval on the part of her Majesty's Government of the policy that had been pursued in India. Now, I must decidedly protest against any such inference. In the first place, I should say, that if her Majesty's Government had been disposed to avail themselves of the services of Lord Auckland in India, it was not thence to be inferred that, therefore, they consented to make themselves a party to his policy. There must be every disposition on the part of a Government, (whatever difference, in point of political feeling, might exist on various subjects), considering that Lord Auckland had for four years devoted the whole of his time and attention to the duties of his office, to avoid doing anything which might imply a reflection on the person intrusted with the discharge of such important duties. It was natural and generous to abstain from any act that might imply an unfavourable opinion, and might render still greater the difficulties of the situation in which he was placed. I am sorry that the noble Lord should have rested his information on a private letter, addressed from one gentleman to another; and, as I understand the matter, the communication was conveyed in a private letter from Lord Ellenborough to Lord Auckland. I must confess I am surprised at the noble Lord's information, even if the impression it tended to excite were correct. I must say

I heard with surprise the noble Lord's statement; I was, however, at the time unwilling to make any reference to it, for I did not expect the introduction of the question of the policy of the war in Afghanistan on the third night of the debate on the resolutions of the hon. Member for Greenock; and I certainly am desirous, in a matter which at all affects the conduct and character of a Governor-general of India who was about to return to this country—I am desirous to collect the best information as to the facts of the case before I offer any contradiction to the statement of the noble Lord. I certainly do not recollect having been a party to any proposal such as that to which the noble Lord had on a former evening referred; yet, at the same time, as the noble Lord had said, that the communication was conveyed in a private letter from Lord Ellenborough to Lord Auckland, it is impossible for me to offer any contradiction. As to the letter, however, I can find no such public letter; and certainly I could add, no such proposition as that which has been referred to had been made with the knowledge and sanction of the Government; but I knew the high opinion which was entertained by Lord Ellenborough of Lord Auckland—I knew that opinion was of the most generous kind, and in proof of this I need only refer to the expressions used by Lord Ellenborough at a dinner given to him on the eve of his departure for India by the directors of the East India Company, on the 3d of November last. On that occasion my noble Friend spoke of Lord Auckland in these generous terms:—

“He felt also that he was about to succeed a man who, in the office of Governor-general had, he rejoiced to have this opportunity of declaring, exhibited great practical ability in the administration of affairs. In fact, it was a source of great personal as well as public satisfaction to him, united as he had been with the Earl of Auckland in former times by ties of the closest friendship, to observe the indefatigable industry, the great ability, and the extensive knowledge he had brought to the investigation, elucidation, and management of all the great questions which had come before his Government.”

That was the public testimony, the generous testimony, of one political opponent to another. I have referred to my own communications with the Board of Directors on the subject of Lord Auckland. I shall not undertake to answer for

any communication which might have been made from Lord Ellenborough to Lord Auckland in the same generous spirit, but these are the facts of the case as far as I can ascertain them. Immediately on accepting office I made inquiry with regard to the appointment of the Governor-general of India, and I received from the East India Board the following intimation:—

INDIA PUBLIC CONSULTATIONS, JULY 8, 1840.

(Minute by the Governor-general.)

“A request from the honourable court is conveyed to me by this despatch, that I would not in the ensuing spring resign the high office which I have the honour of holding in India; and to a wish to this effect, expressed in this quarter, in terms and in substance so honourable to me, I can, under present circumstances, make but the one answer—that I will not abruptly throw up the trust which has been confided to me, or appear hastily and unduly to shrink from any important responsibility of which it may be supposed that I should be able more easily to acquit myself than could be expected from any one new to the cares and duties of the Indian administration.

“I readily, therefore, consent to postpone any immediate decision upon the time when I may return to England, and it may be assumed that for the next year I shall serve in India, giving in the course of the year such timely notice of my wishes and intentions as public and private considerations may seem to me to require.”

The consequence was that Lord Auckland remained in India, and that he did so at the specific request of the Board of Control and of the Board of East India Directors; and the present Government found him remaining in India at the express wish of the public authorities in this country. On the 1st of September I found a letter from Lord Auckland. I had made inquiry as to Lord Auckland's intentions, and if I had found that that noble Lord had entertained a wish to retain the Government of India longer, I never would have advised the Crown suddenly and peremptorily to recall Lord Auckland, and I should have abstained from the exercise of power, retaining, of course, my own opinions. But I must fairly avow it, that if it had been intimated to me that in compliance with the public wish at home Lord Auckland's personal convenience should be consulted, and that he intended to remain in India, I should have thought it an act of gross injustice to that noble Lord if I had advised the Crown to dismiss him. The 1st of Sep-

tember was the date when Lord Auckland's intimations were known. The next letter which I found was dated the 7th of April, in answer to my inquiry whether or not Lord Auckland's intentions were known. All was conceived in a friendly spirit, and without the slightest intention of impugning the conduct of Lord Auckland. Lord Auckland wrote Lord Ellenborough a private letter, and intimated that he was desirous to leave India in the June following, at the same time expressing his desire not to leave any great measures unfinished; that he had no objection whatever to the appointment, but the Court could not wish him to go for the purpose of taking the Government, unless they knew that Lord Auckland had privately fixed the time of his departure. Now the appointment of the Governor-general, it was well known, was with the Court of Directors, with an understanding with the Government. There was no objection on the part of Lord Auckland, be it observed, to the appointment of a successor, but the Court did not wish this till Lord Auckland should have positively fixed the time of his departure. Then, on the 24th of September, Lord Ellenborough wrote to me in these terms;—

"The chairman read to me to-day a letter received from Lord Auckland's brother, of a tone similar to that of the letter you received from him. I conclude that the next mail will bring his formal resignation. His successor ought to leave England on the 4th of December in order to be able to communicate with him fully before he leaves India, as it is of the highest importance that this communication should take place. Facts and opinions may, perhaps, be gathered from the records, but without personal communication with Lord Auckland his successor will know little of the men by whom his measures are to be executed.

"ELLENBOROUGH."

And on the 8th of October I proposed, having accepted office on the 1st of September, that Lord Auckland should remain in India until his successor should arrive, Lord Ellenborough having accepted the government of India. These, then, are the facts of the case. Lord Ellenborough might have written a letter to Lord Auckland in terms similar to those which have been publicly avowed. He might have pressed upon Lord Auckland the policy of remaining until his successor should arrive: but it could not be deduced from that fact that Lord Auckland was to remain permanently the Governor-general.

I now pass from this subject, and before I move the Order of the Day, I must express what is the position of the Government in respect to the votes of supply, the miscellaneous and other estimates, and for the China service. The House must see the necessity of these votes being agreed to as soon as possible. I stated to the House that the time was fast approaching, when considerable inconvenience must arise to the public service unless the House were pleased to assent to them. It was then said that the Government ought, at an earlier period, to have called attention to the votes of supply. In answer to that charge, I must remind the House how the time has been occupied by her Majesty's Government, in respect to measures relating to the financial and commercial position of the country. We have sat eighteen weeks; two days a week only were at the disposal of the Government for a part of that time; but through the indulgence of the House, Tuesdays were given up to the Government. I believe that if every day had been taken when her Majesty's Government had precedence, there would have been fifty-four days. With the general concurrence of the House, I placed upon every day's paper the three measures of the Corn-law, the Income-tax, and the Tariff. The House was occupied on the Corn-law sixteen days, on the Property-tax seventeen days, on the tariff fourteen days, making together forty-seven days; and I am sure the House must have felt the necessity of not interposing other measures until those had passed. The tariff was at length happily concluded, and came into operation on Saturday last, and I hope the returns of the Custom-house will show that that measure has had a favourable effect, if it were only by removing a suspense which has operated most disadvantageously for trade. We now have to vote, with the sanction of the House, the miscellaneous and China estimates, which are very pressing. There will be a vote for the service of the East India Company for the expenditure in China, which is of urgent importance to the Government of India. Besides meeting the extraordinary expenses on account of the war in Affghanistan, we have had to advance largely on account of the Chinese loan opened in India not having turned out so productively as was expected. A communication has been made to the Court of Directors to render relief by their home trea-

sure, and a communication has been made to the Treasury, and the understanding is, that a sum of 800,000*l.* shall be advanced in payment of sums formerly advanced in China; that the government of India might suspend their advances on hypothecated goods, provided they should abstain from drawing on the treasury of India for six months, and making an engagement to meet the China expenditure. The first vote to be taken will be for China, and great inconvenience will arise to the East India Company and the public service from any delay in fulfilling the engagements which have been made. With respect to the miscellaneous estimates, I can only state, as might be expected, that this is an additional grant, the vote being made from the 31st of March, one year, to the 31st of March the next year, whilst I am addressing the House now on the 11th of July. We have abstained from applying for these votes, but I think it my duty to state to the House, that many of these votes are exhausted, as in the case of the vote for criminal prosecutions in Ireland. The Government had no alternative but making advances, and, as might have been expected, we have postponed payment as long as we could. Great public inconvenience must necessarily arise from any further delay, for which I cannot be charged, and shall not hold myself responsible; and I therefore hope, that the House will not, through any courtesy to the Government, but for the sake of the public interest—I hope, I repeat, that the House will not sanction any unnecessary delay, which will have the effect of impeding the public business.

Viscount Palmerston: I am sure, after what has fallen from the right hon. Baronet, the House will expect that I should make a remark or two on the observations of the right hon. Baronet, but I shall endeavour to observe the same calmness and absence of party spirit which the right hon. Baronet has displayed. There is nothing I should be more reluctant to do, or feel more regret for having done, than making a statement affecting the conduct, more especially of an individual absent from the country, which turned out to be wholly unfounded. The right hon. Baronet has resolved this matter into two questions; a question of fact, and a question of inference. I shall notice the latter first. The right hon. Baronet says, that if the Government did make a proposal to Lord

Auckland to continue in India, it could not be construed into an approval of the policy of which he was one of the authors. Now I cannot say I agree with the right hon. Baronet, and he has read, amongst the documents which he has quoted, a passage which confirms, I think, the conclusion I have arrived at, supposing the facts to have been as I stated them. What were the circumstances of the case? Lord Auckland had continued in India the usual time, and at the expiration of which the Governor-general resigns. In May, 1840, he received the application alluded to from the Court of Directors, requesting him to continue, although the period of resignation had nearly arrived. Lord Auckland writes in reply in July, that although it would be inconvenient to him to remain, no personal consideration should stand in the way of a public duty, and that he consented to continue in office for the purpose of completing the measures to which he had been a party, or the system of policy he had approved of, or some words to that effect. Well, the present Government came into office, not in September, 1840, but in September, 1841, more than a year after Lord Auckland had continued at the head of Indian affairs at the request of the Court of Directors. It was generally known to the public in this country that Lord Auckland was expected to return in the ordinary course of things, even if there had been no change of government. Therefore, if it were known that he had consented to remain longer at the special request of the authorities, and that he was willing to continue in office only so long as he might be enabled to give effect to his original intentions, if such a proposal were made to him at all as that which I referred to, I think the obvious inference was, that his continuance in office was sought on the condition of completing the great measures which he had brought nearly to a conclusion. Now I come to the question of fact. I am bound to accept the statement of the right hon. Baronet, that neither he, nor, if I understand right, any of his Colleagues, were at all aware that Lord Ellenborough had written to Lord Auckland, requesting him to remain, and certainly, the notes of Lord Ellenborough which he has read bear out that assertion. I have not the letter in my possession, of which I read an extract on a former night, but I perceive the words which it contains

have been very correctly reported. They amounted to this: that Lord Ellenborough wished very much that Lord Auckland should remain, and he was sure they should get on admirably together. I have no more doubt on my mind than that I am standing on this floor, that previous to the date of the letter from one of Lord Auckland's family such a request was received, and it undoubtedly justified Lord Auckland in concluding that it was not the expression of merely a personal wish, but that it conveyed the opinion of the Government through the President of the Board of Control. Now was that an unusual mode for matter of such a communication? The right hon. Baronet says, that there is no official record of it. The right hon. Baronet must know that on such occasions it is usual before any public sanction is given to the continuance of an officer, that a private letter is written, asking if he can act under a new Government consistently with his honour. When I was Secretary of State for Foreign Affairs, it became a question whether Lord Heytesbury would continue in St. Petersburg. I wrote him a private letter, and not an official despatch. How this communication was made without the knowledge of the noble Lord's Colleagues, it is not for me to explain. The communication made to me was not of a confidential nature, and I had no motive for concealing the fact, or making a secret of it. While I admit, that the right hon. Baronet has cleared himself from participation in this communication, I hope he will do me equal justice in acknowledging that I had good grounds for making the statement I did, and for believing it.

Sir R. Peel said, the noble Lord had read a passage of a letter from Lord Ellenborough, in which it was stated that no appointment that could be made could convey the slightest reflection or imputation on Lord Auckland. Lord Auckland, it must be observed, had not been asked to stay a year after May, 1840. And what was his answer?—

"I will readily, therefore, consent to postpone any immediate decision upon the time when I may return to England, for it may be assumed that for the next year I shall serve in India, giving in the course of the year such timely notice of my wishes and intentions as public and private considerations may seem to require."

Well, on the 7th of September last, it

having become time that some step should be taken in the matter, the Government of India was asked, what was to be done? What was the answer of the President of the Board of Control?—

"There is no objection to naming a successor, but the court would not wish him to go for the purpose of taking the Government until they know that Lord Auckland has positively fixed the time of his departure."

He need not state to the House that he was not withholding any other communications than those he had read. He had read everything bearing on the point in his possession, and he could, therefore, only say again—of course not undertaking to answer for what private communication a man of generous feeling like Lord Ellenborough might have addressed to Lord Auckland,—that the House would see he could by no possibility have been a party to any such communication.

Viscount Palmerston only wished to say, that he thought there was a probability of solving this difficulty. The letter he had read on a former evening stated, that "it was very lucky that Lord Auckland had sent home his positive resignation." It was probable, therefore, that the resignation would have been received here a very short time after Lord Ellenborough wrote the letter conveying his wish that Lord Auckland should remain in India. Therefore it was possible that the communication which the right hon. Baronet had just read might have been written to him after Lord Ellenborough had received Lord Auckland's positive resignation, and had come to a conclusion that the wish expressed in his former letter to Lord Auckland would not be complied with.

Sir R. Peel only wished the House to observe, that the answer of Lord Ellenborough to him, which he had quoted, was dated the 7th of September, and that Lord Ellenborough's own appointment was on the 8th of October.

Viscount Howick believed, that the only inference which followed from that was, that Lord Ellenborough wrote very promptly to India after his entrance into office, probably by the Indian mail, which left, he believed, immediately after the appointment of the new President of the Board of Control. Of one thing he believed there could be no doubt—that Lord Ellenborough wrote a most flattering letter to Lord Auckland, urging him to remain

in India. That he could state from his own personal knowledge; he believed it to be quite true. On the 7th of September Lord Auckland's resignation must have been received by Lord Ellenborough, and therefore he was enabled to state to the right hon. Baronet, notwithstanding his own most pressing letter to Lord Auckland, that the Government of India was vacant. He knew that among the noble Lord's friends at Calcutta great grief prevailed that Lord Ellenborough's letter had not reached Calcutta before Lord Auckland's own letter of resignation could have reached England, as the language of the former might possibly have had an effect on Lord Auckland's mind.

Mr. *Hogg* said, he had only entered the House early enough to hear the noble Lord speak of the Court of Directors having particularly requested Lord Auckland to remain, and say, that he was justified in inferring from that request their approbation of the policy of the Affghan war. Now, he would appeal to the right hon. Gentleman the late President of the Board of Control (Sir J. C. Hobhouse), whether he was not right in saying that that request would not justify the noble Lord in drawing any such inference? Under the then existing exigencies of the public service in India, looking to the state of the Affghan war, and other affairs, the Court of Directors did acquiesce in a suggestion which came from his right hon. Friend the late President of the Board of Control, and they did think that in the then state of circumstances the best thing to be done for the public service was to press Lord Auckland to remain, and Lord Auckland on public grounds consented. Now, to prove that the letter of Lord Ellenborough, whatever it might have been, was a merely private intimation, he begged to say that he for one till that night never heard of the existence of that letter, and he begged leave most distinctly to say that it was not competent for the President of the Board of Control to intimate to the Governor-general his wish that he should remain for another year. The President of the Board of Control must have the sanction of the Court of Directors before he could make officially any such request. He could most distinctly state that the acquiescence of the Court of Directors was never asked, much less given, to such a letter.

Sir J. *Hobhouse* said, the reason which

induced him to rise was, that his hon. Friend had made a direct appeal to him in respect to the interpretation he gave to the request of the Court of Directors, in May 1840, to Lord Auckland, to remain in his government for a year longer, or for some time longer than the usual time for the stay of the Governor-general, and at which Lord Auckland himself thought that he should come back. Now it had been his intention to have kept all these communications between the chairman of the Board of Directors and himself entirely to himself, except he had asked permission of the hon. Gentleman who was chairman when the Affghan expedition was determined upon. But as the hon. Member had asked him in the face of the House and the public whether he considered the request of the Court of Directors to Lord Auckland to remain beyond the time which he had fixed for his return, to be an approbation of Lord Auckland's general policy and conduct, without the slightest hesitation he said "Yes." Why this was all new; it was like the hon. Gentleman telling them the other night, when the word "sagacity" was made use of in moving the vote of thanks to Lord Auckland from the East India Company in the Court of Proprietors, that sagacity did not mean sagacity. That was what the hon. Gentleman said. The hon. Gentleman said—what he had of course a right to tell of his own conduct—that he had objected to the vote of thanks. But the word was found in the vote, and the Court had been told that it was not objectionable, as it did not carry with it the sense which anybody else, certainly everybody in the House of Commons, would have supposed; namely, that the Governor-general had shown in this policy of his sagacity, or wisdom, or any other word by which they chose to interpret the expression "sagacity," and that the hon. Member should have had, he would not say the courage, but the good-nature, to ask him whether he did or did not suppose that when Lord Auckland was requested to remain a year longer, it was a sign of approbation of Lord Auckland's policy;—why, in the name of God, what else could he take it for? It was in consequence of communications between the Chairs and himself, and because Lord Auckland was considered to be the best man to carry out his own policy, that the request was made to Lord Auckland, and he had every reason to believe that Lord

Auckland had the support of the chair. As he told the hon. Member long ago, it was not until their late disasters that he had heard anything relative to the Court being opposed to Lord Auckland. It was all new what the hon. Member had told him, that there was not one out of twenty-four directors who did not condemn the Affghan expedition; that was all perfectly new to him. Ask Sir J. S. Lushington, the present chairman; ask that gentleman what communications he had with him. Ask him whether he did not, when chairman in 1838, approve of the Affghan expedition. He should not have said one word of this, for he would not have thought himself justified in referring to these matters, he should have thought it something, if not like a violation of confidence, at least something which it was well to have refrained from speaking of; but charges were brought against him and the late Government which obliged him to allude to these matters; and when he was asked pointedly whether or not he considered the request of the Court of Directors to intimate approval of the noble Lord's policy, he said most distinctly that he did so consider it, and if he had not done so, that he would not have asked the Court of Directors to make such a request to him; for, as the hon. Member knew very well, it did not require a request of the Court of Directors to enable Lord Auckland to go on with his government. The period of the Governor-general's return was not fixed either by the Court of Directors or by any particular usage, and there was no necessity for him to come back at that time. When he requested Lord Auckland to remain, he communicated the circumstance to the chairs, who fell in with his views, and he appealed to the chairman for the confirmation of this statement, with whom he had had communication for six years and a half; and here he would say that no president of the Board of Control could have met with greater courtesy in his official communications since the Indian Board was established. He did not mean, of course, to say that every one of the Board approved of the Affghan policy; he knew that his hon. Friend did not, who was in the court at the time of the "sagacity" vote, when it was resolved to keep Lord Auckland for his sagacity. He knew also that Mr. Tucker and Mr. H. Willock did not approve of it; he was not quite sure

that the latter was in the court at that time, though he was afterwards; but he declared that it was a fact quite new to him, that the great mass of the court objected to Lord Auckland's Affghan policy. It might be so, but it was new to him; and he would declare, on his word of honour, that the chairman never told him so. The different chairmen certainly acquainted him in what they differed from him, but that the Court, as a body, or the majority of it, was hostile to Lord Auckland's policy, he had never heard. The question never was brought before the Court, because they had nothing whatever to do with it. He would add one word with reference to the letter which had been mentioned from Lord Ellenborough to Lord Auckland, but with no wish to provoke an angry discussion. He certainly interpreted that letter in a different sense from that attached to it by the right hon. Baronet. He was clearly of opinion that it was meant to convey praise, and more unmeasured praise than that applied by Lord Ellenborough to the Earl of Auckland it would be difficult to imagine. It would not take up the time of the House to repeat the passage which the right hon. Baronet had quoted from the speech delivered by Lord Ellenborough previous to his departure, 3rd of November, 1841:

"He felt he was about to succeed a man who, in the office of Governor-general, had, he rejoiced to have this opportunity of declaring, exhibited great practical ability in the administration of affairs. In fact, it was a source of great personal as well as public satisfaction to him, united, as he had been, with the Earl of Auckland by ties of the closest friendship, to observe the indefatigable industry, the great ability, and the extensive knowledge he had brought to the investigation, elucidation, and management of all the great questions which had come before his government."

Now, what was the greatest of all these questions? Was it not whether a great army should be marched across the Indus, to establish our direct and predominant influence in central Asia? Of course, Lord Auckland brought to bear on this question extensive knowledge as to the resources of the country, the dangers of the expedition, and the general line of action by which the plans of Government were to be carried out. Why, was it possible for any human being to convey in stronger language than this a general approbation of the conduct of any great functionary? In order to make this will

more clear, Lord Ellenborough went on to say, that there would still be something left for him to do—

“To terminate the war in China by a peace, honourable to the Crown, and durable in its provisions, to restore tranquillity to the banks of the Indus; in a word, to give peace to Asia.”

Was there anything in these words that looked like a qualification of the great praise which Lord Ellenborough had thought it just to give to Lord Auckland? The only conclusion to which it was possible to come from these words, except upon some new mode of interpretation, was that the person who used them fully approved of the policy of the late Governor-general in all its great features and outlines. So much did he think so at the time, that he remembered, on seeing this in the newspapers, writing to a person officially connected with Lord Auckland, and telling him how handsome he considered this praise to be, and how happy he was that, after all the blame thrown upon Lord Auckland and his policy, the man who could judge it best had praised it most. He well knew the opinion which Lord Ellenborough entertained of Lord Auckland, but in explaining it he had not thought it necessary to have recourse to any of those private documents which might have been adduced in confirmation of it. No opinion could be higher than that which was stated in the public manner he had mentioned. The hon. Gentleman might, perhaps, be correct in his representation of the feelings of the Court of Directors; all he could say was, that whilst he was at the Board of Control he was never made aware of it by his hon. Friends, and the only occasion when the question of the Indian policy came in anything like an official form before the Court of Directors was in 1840, when the vote of thanks was passed to Lord Auckland. From no communication with the chairman or deputy-chairman had he ever learned that there was this great discrepancy of opinions in the court alleged by the hon. Member.

Mr. Hogg explained, that he had never argued with respect to the word “sagacity” in the way stated by the right hon. Gentleman. The sense in which he meant his observation was this—so cautious were the members of the court on the occasion referred to with regard to expressing any

approbation of Lord Auckland’s policy, that he himself and several other directors objected to the word “sagacity.” He was then accused of being hypercritical, and the chairman said the vote was one of a merely complimentary nature, and was not intended to express any approbation of the policy of the expedition, just as the right hon. Gentleman himself (Sir John Hobhouse) in moving the vote of thanks in that House, expressly excepted all consideration of the policy. The right hon. Gentleman had stated that he said no director approved of the policy of the Affghan war. He had said no such thing; he had told the right hon. Gentleman that if he were to appeal to the Court of Directors, he would find a tribunal personally favourable to himself, but a tribunal the majority of whom disapproved of the Affghan war. The right hon. Gentleman knew that the chairman and members of the secret committee were sworn to secrecy; in that respect the right hon. Gentleman had the advantage of him, for he could state to the House what had passed between them and the chair, while the lips of the chair were sealed without special permission. But he would repeat, that not only the great majority, but to the best of his belief nine out of ten of the directors, disapproved most distinctly of the policy of the war; and the chairman never ventured directly or indirectly to bring the question before the court, but constantly said, when the subject was glanced at, that he did not ask for any opinion as to its policy.

Mr. Hume thought, that to refer to so many private documents as the right hon. Baronet at the head of the Government had done was a most unusual course, and one of which he much disapproved, unless the right hon. Baronet was prepared to lay them on the Table. He remembered when a Member would have been stopped when he began to use private documents. He was sure it would take up a great deal of time. With respect to the subject of the supplies, he was perfectly aware of the situation in which the East India Company stood with respect to the Government, they having concluded arrangements with their agents abroad in the confidence that Government would be enabled to pay their debt. As far as he was concerned, he would make no objection to the vote on account of India being taken without any particular discussion; but he



must tell the right hon. Baronet that there was a strong opinion abroad in the country that the moment he got the supplies he meant to close the doors of the House and not to bring forward any other measures. A general feeling prevailed that something must be done to meet the distress; and he called on the right hon. Baronet to state to the House what remedies he thought should be applied. He understood that it had been reported ten days ago that Parliament would break up on the 25th of the present month. Therefore, if the right hon. Baronet came forward, and stated what he believed in his conviction would afford relief to the existing distress, he would find that he would not receive any opposition from him.

Sir R. Peel could only say, in reply to the hon. Member, that the report he had heard of an intention on the part of the Government to prorogue the Parliament on a certain day was utterly without foundation. Supposing that the supplies were voted, there were other measures, some of them of importance, waiting for consideration, and continuing bills which must be brought in; and, if the hon. Member gave him the whole of the supplies that night, it was utterly impossible for Parliament to be prorogued.

Mr. D'Israeli said, there was one fact connected with Lord Ellenborough's opinion of Lord Auckland's policy in the East which was entirely overlooked. When private letters of Lord Ellenborough were read, it seemed to be forgotten that Lord Ellenborough had left on record a public declaration made in the other House of Parliament with reference to the subject. Lord Ellenborough said, that as far as he could form an opinion of the policy of Lord Auckland, it amounted merely to an error; he gave him credit for the explanations which had been received, but had not the policy been so explained it would have amounted to a crime.

On the question that the Order of the Day for a committee of supply be read,

REPEAL OF THE CORN-LAWS.] Mr. Villiers rose to move the amendment of which he had given notice on Friday night. He could assure the House and the right hon. Baronet that if it was an occasion of any ordinary kind, or affecting only interests of a personal nature, he would not interpose or in any manner stay the course of public business. But the

amendment he had to propose he moved on constitutional ground, and was one of deep importance to millions of the people. The Order of the Day was to go into a committee of supply. His amendment was, to go previously into the consideration of a great national grievance,—grievance occasioned by a law passed by this House; one that infringed on the liberty of the subject, that fettered him in the exercise of his industry, and precluded the industrious classes from supporting themselves and their families by independent means. The object for which this House exists is to protect the people from being ruled independently of their opinion and adversely to their interests, and, by the powers it possessed, of having a means of compelling the consideration of any grievance when other means were exhausted. The course he was adopting was, therefore, consistent with the principles of the Constitution. He should not, then, repeat those arguments upon the general question of this grievance which he had often advanced before. The country was now familiar with the arguments in favour of repealing the Corn-laws, and, indeed, it was much on that account, and that the reasons yet assigned for their maintenance were so unsatisfactory, that the people now requested and expected that their friends would resort to every legitimate method sanctioned by the Constitution to obtain their abolition as an admitted and undefended evil. He knew that the people who were suffering so severely from their operation now expected this motion to be made. They expected their friends to interfere where any vote of their money was demanded, and to ask specifically for a removal of this grievance. He gathered this from the communications which he received from different parts of the country, and he learnt it also from those earnest and intelligent men who had been deputed from all parts of the country, and were now assembling in this town to submit to the Government and other public men the real condition of the people and the localities from which they came. They implored of their friends to leave nothing untried or undone that could awaken this House to a sense of the appalling and alarming state of the manufacturing districts. They had on Friday solicited their Friends in this House to meet them for the purpose of conferring as to what course would be most expe-

dient to adopt, and the result was that they unanimously agreed, and it was carried by acclamation, that this motion should be made; for, having themselves actual knowledge of the bitter sufferings of the people, and being ready to prove that the repeal of this law would immediately relieve them, or greatly mitigate their sufferings, in the name of those unfortunate people they are ready to resort to every legitimate means of obtaining redress. After this meeting had occurred, the noble Lord, the Member for Sunderland, had placed on the books a notice for a future day of a motion for a temporary modification of the law. He did not regret that he had done so. He was sure that if the noble Lord could so far alter the law, or induce the Government so far to mitigate its effects, as to relieve in any way the suffering of the people, they would feel deeply grateful to him. But in the present unreasonable attitude assumed by both Houses towards the people, they saw no reason in expectation of the result of that motion, for waiving the right which they claimed to exercise of freely exchanging the fruits of their industry for food, wherever they could with best advantage to themselves, or, indeed, for humbling themselves by modifying that claim, while the obstruction which they deprecate exists for no national or general purpose, but solely for the benefit of individuals who added nothing by their skill or labour to the wealth of the country. By this motion, therefore, they again assert their right to entire freedom in this trade. He said he would not at that moment argue the general question again, but he would, in anticipation of the objections that might be urged to the proposition of repealing a law which had only been enacted during this Session, state the grounds on which he defended that proposition. In the first place, it will be admitted, that this motion has been invited by the Government, by the manner in which they refused the motion of inquiry of his hon. Friend the Member for Greenock. It was said, there are different opinions respecting the causes of the distress and the remedies—the inquiry will be interminable—if you have any specific remedy propose it—if it is the repeal of the Corn-law, why do you not make a motion to that effect? By this motion, then, that challenge was accepted, and it is in the firm conviction that it is the

proper remedy for the present evils that it is now submitted. Again, he would remind the House that the present Corn-law contained one provision which was by many considered to be the best one in it, namely, that it could be altered or repealed during the Session. Now this could only be inserted in the act in contemplation of the failure of some object which the bill had in view, or of the occurrence of circumstances that would render it of importance that it should be repealed. He did not know what precisely were the objects of the projectors of the present Corn-law, but certainly if they had in view to remedy the defects of the last law, to increase the quantity of food or to lower its price, so eminent a failure in legislation he never remembered to have occurred. The facts connected with its working were notorious—the price had gradually risen since its enactment, the distress had generally been extended, and all the operations that used to take place under the old law were notoriously proceeding under the present. Again, if any emergency was expected to occur that might render it expedient to repeal this law during the Session, he asked if the state of the country at that moment was not sufficient to call for its repeal? Had not the distress increased in extent and intensity since the passing of that law? was not the country in a most appalling and alarming state? And did not most people refer to this law as its prominent cause, and its repeal as its most probable remedy? The distress could now be no longer called partial; it extended through the length and breadth of the land, in every district and in every department of industry, and it had already reached the agricultural districts. He believed that the only reason why they did not hear more of the distress of the agricultural labourers was, that there were fewer people who had intelligence or leisure to make their sufferings known than in the towns. The only intelligent person usually in a country parish was the clergyman,—and the other day, before a committee, a clergyman from Devonshire was called as a witness, and he gave the most lamentable description of the state of the poor in that county that he had ever heard—indeed, from his description, he doubted if there was a peasant in Europe that could be worse off. They knew that those indications of distress and discontent

which they had observed before in the destruction and burning of property had been manifested in Dorsetshire; and he believed in no other county were agricultural labourers more distressed than in Wiltshire. In these places, as in the towns and manufacturing districts, the same account is given of the fearful consequence of poverty in the increase of crime, disease, and death. To official inquiries as to the cause of the increase of death, official replies have been given, that it was owing to the badness, dearness, and inadequacy of food. He believed it was in Wiltshire where Judge Coleridge was on his last circuit, that he was led to remark upon the serious increase of crime—he had a calendar of nearly eighty persons at the last assizes, and he had been led to speculate himself upon the causes of this increase; but upon examining the nature of the offences it was found that nearly forty-seven were for stealing food and the common comforts of life. The account he held in his hand, which had been sent him, contained a very fair summary of the general state of the country:—

“Multitudes are out of employment, wages of all kinds are coming down, workhouses are full to overflowing, there is an increasing amount of sickness, the dispensaries are thronged, and the fever infirmaries crowded, typhus and infectious diseases are very prevalent; crime also increases, and many who are without support actually commit offences in order to make the prison an asylum from starvation. The rate-payers are beginning to sink under the weight of parochial taxation. The actual destitution of the poor people is indescribable; life with them is a mere struggle for existence.”

He could not doubt the correctness of these statements after all that he had heard; and indeed he was led the less to doubt it from observing that none of the hon. Gentlemen opposite, whose constituencies had been alluded to, had ever risen to say one word on the subject, or to deny any statement made with respect to them. Now, he would state one other ground fully to justify the application he was making to this House, which was, that opinions and principles had been avowed by the Government, and adopted by both Houses of the Legislature, since the Corn-law was passed, which had been repudiated or disputed when the Corn-law was passed. He would not weary the House with quoting long passages from different

speeches, but he would faithfully give the substance of what had fallen from different Ministers of the Crown in the course of their speeches. It would be remembered that, when the Corn-law was proposed, it was asserted that we ought to legislate with the view of creating dependence upon our own soil; that the Corn-law did not cause distress; and that if the Corn-laws were repealed it would lower wages. Now he would then read what had been said since:—First, That the cost of living was exorbitantly high, and ought to be reduced; that the reward of labour had been gradually declining, and some relaxation in the cost of living should be made. That the food of the people of this country was insufficient, and that we must expect to be dependent on other countries for a large amount of our supplies. That the area of our supply ought to be extended. That the people are now suffering the severest privations from want, and that 1,200,000 are living on parochial charity. That manufactured goods are now in excess in this country. And, finally, it has been said, that sound principle requires that the people should be allowed to obtain the objects essential to life and comfort wherever they can obtain them with the least sacrifice of labour and money. Was it then wonderful he asked—after all these admissions had been made—after all this poverty had been proved—after it was established that there was food in abundance in the world that could be exchanged for their goods—that the people should believe that those who had uttered those sentiments were sincere, and that after expressing sympathy for their sufferings, that they would so far act in accordance with their opinions as to repeal a law that made the cost of living high, that limited the area of supply, and prevented people from obtaining the comforts of life at the best advantage? These were then the grounds on which the people applied to this House again to reconsider the law with a view to its repeal, and asked now the Members of this House to attach the condition of this relief to any supply that they should this night vote. This was a right that he asserted on behalf of the people; if it was rejected by the majority of this House, on that majority would rest the responsibility, for against their decision, after it was given, it was useless to contend. He would now move

"That, previously to granting any supply, this House would go into committee, to take into consideration the present Corn-law, with a view to its total repeal."

Mr. *Fielden* rose to support the motion. The main point, which was admitted by all preceding speakers, was, that the people were starving from want of food. Much had been said about it, but he thought that still it was important to see how it could best be proved, and as he was prepared to prove that there had been causes long in operation to produce it, he would apply himself to a specific illustration of it. He would do this in a manner to show the fallacy of the assertions as to the prosperity that had been said to have prevailed between 1833 and 1837. Activity prevailed, it was true, but not prosperity, and he could show this. The hand-loom weavers of this kingdom, and those dependent on them for subsistence, comprised nearly 1,000,000 people, and when he first came into that House he made known their case; stating, too, that if something were not done to relieve that body from their sufferings, others then employed at better wages would be brought down, and that soon, to the same condition. To illustrate the case, he would take an industrious hand-loom weaver as he stood in 1815, and would give his earnings for the prices paid in that year, and the number of pints of wheat which his wages would purchase at the average price of wheat in that year. He would then state his earnings, and his command over wheat in 1824, being nine years after, and being the year of Mr. Robinson's (now Lord Ripon) prosperity. He would then give his condition nine years after that, being for the year 1833, and up to that date he had proved before three successive committees of that House—that on manufactures, shipping, and commerce, in 1833, the committee on handloom weavers in 1834, and the same in 1835—that what he was now going to assert was undeniably true. He would now trace the progress of the weavers to the present time, which would give another nine years, and the result would show that bones and sinews were now waging a successful competition against machinery and the owners thereof. The price the weaver did his work for would not pay interest for the cost of the machinery. In 1815 the Corn-laws were enacted; the average price of the quarter of wheat in that year was 63s.

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8d.; the weekly earnings of the handloom weaver in that year were 27s., with which he could purchase 217 pints of wheat. In 1824 the average price of the quarter of wheat was 62s. The weekly wages of the handloom weaver in that year were 13s. 6d., with which he could purchase 111 pints of wheat. In 1833 the average price of wheat was 52s. 11d. a quarter; the weekly wages of the handloom weaver were 8s., with which he could purchase seventy-seven pints of wheat. In the week ending the 2nd of this month the average price of wheat was 64s. 3d., and the handloom weaver's wages he would give, from a resolution adopted by the board of guardians of the Settle Union, in Yorkshire, and sent to the Poor-law commissioners, dated the 22nd of June, 1842, and ordered by the House of Commons to be printed on the 7th instant, which stated that,

"In Long Preston township and other townships in the union the poor are employed in handloom weaving, by which good workmen can now earn not more than 3s. per week,"

with which 3s. he could only purchase 24½ pints of wheat. And thus he showed, and he wished to impress it upon the House and the public, that that honest working man performed the same labour now for 24½ pints of wheat that brought him, only 27 years ago, 217 pints of wheat. Was not that a sufficient reason why his wages should either be raised, or that the price of wheat should be reduced; and as that House had declared that it could not interfere to regulate wages, the question was, whether it could not do something to bring down the price of wheat? The advocates of Corn-law repeal said that you could, and he agreed with them. If all duty were taken off the importation of corn it would fall in price. The picture of the condition of the handloom weaver that he had just drawn showed clearly that the distresses of that people had been gradually coming over them for a long period; that, in fact, it was not a temporary revulsion of trade, but a steady downward progress of an alarming nature. He believed that now those who worked on machinery were brought to the same deplorable state as that of the handloom weaver. Thousands were thrown out of work altogether, and were, therefore, totally destitute, and nearly all had had their wages amazingly reduced, and had

no prospect of being continued in employment for any length of time, because those who employed them were placed in such a state of difficulty that they could not continue the employment of their people. The manufacturers who employed great numbers of hands had now less for labour and expenses by  $83\frac{1}{2}$  per cent. for manufacturing the same articles than they had in 1815, that was, they now received only 16*l.* 10*s.* for what brought them 100*l.* in 1815; and he could assert, without fear of being contradicted by any practical man, that no manufacturer, with the most improved machinery that he could get, could possibly carry on his works at that rate, supposing the taxation and the measure of value to remain on their present footing. He would give a practical instance in a fact which had recently come to his knowledge:—Within these two years the occupiers of one of the largest factories in Manchester dismissed their hands. The reason assigned was that they could not compete with the better machinery that had been introduced into other factories. They broke up, or disposed of, their old machinery, and set to work to provide the best and most improved machinery that could be made. They laid out 20,000*l.*, as he was informed, in the speculation, began work again on the improved machinery some months ago, and had again, after incurring all that expense, and after making another trial, finally closed their works. He thought that the hon. Member for Manchester, if in his place, could confirm that fact. Effects so astounding must have a cause. The war, which had led to the contraction of a debt of 800,000,000*l.*, terminated in 1815, and you then passed your Corn-law, and repealed your property-tax. The Bank began to prepare for cash payments, and contracted its issues of money. The Corn-law was intended to keep up the prices of corn, and the contraction of the issues was calculated to make money dear, and the effect of those measures was to throw the taxation on the productive classes of the country, and release property from its proper share of the burden, with food at a high price. But, not satisfied with that, the bill of the right hon. Baronet was passed in 1819 to fix the standard of value at 3*l.* 17*s.* 10½*d.* an ounce, the effect of which had been to more than double the pressure of the enormous taxation consequent upon the

800,000,000*l.* of debt; and now, after all the improvements of machinery and increased power of production, accompanied by great reductions of wages, we had arrived at a state when the pressure could not be sustained much longer. During the last year and a half the losses which he and his brothers had sustained in their manufacturing pursuits were enormous. Having always had a great disinclination to reduce wages, and having exerted themselves to prevent reductions of wages on the part of others, and having contended with their brother manufacturers that it was better to reduce the quantity of work in times of stagnation than to reduce the wages and give out the same quantity of work, they in April, 1841, as they had on occasions before, but without success, set the example to their fellow-manufacturers of working eight hours in the day instead of twelve; and that practice they persevered in till January last; but finding that others refused to copy the example, and finding also that their workpeople wished that, because others worked full time, they would do so too, they considered the matter, and having told their workpeople that a necessary consequence, if things did not improve, would be a reduction of wages, went to work again at full time. They had continued to do so up till now. They had kept the wages of their factory hands at the same prices as before; but they had given for the labour of those hands and of the handloom weavers whom they employed 50,000*l.* more in the last year and a half than their labour was worth; and any reductions of wages which they could now make would not enable them now to sell the articles which they manufactured, except at a considerable weekly loss, notwithstanding the cotton which they used in their manufacture was never so low in price in any period as it was now; and, therefore, it was impossible that they should go on. He wished to know from the right hon. Baronet what they were to do, and what was to become of the thousands of people whom they employed when their labour ceased? He hoped the right hon. Baronet would give him an answer. The distress during the last five months Parliament had been sitting had gone on increasing, and in his opinion, not one measure had been passed calculated even to mitigate it; but, on the contrary, the tendency of the three Go-

vernment measures that the House had sanctioned would be to increase the distress among the productive classes of this country. Two of those measures were intended, and would effect, a fall of the prices of different articles they embraced, and the Income-tax was a direct increase of taxation of the country, which was so heavy before that the prices of the commodity now to be reduced could not sustain it. Correction of the existing evils had been delayed too long, and the repeal of the Corn-laws must now be yielded. That would give at any rate temporary relief, and though he (Mr. Fielden) certainly thought that other measures ought to accompany the repeal of the Corn-laws, he would leave it to the representatives of the landed interest to suggest those measures. No time should now be lost. The people were perishing from want. Famine was abroad, and must be stopped. That was a grievance so great and so pressing that he (Mr. Fielden) was ready to act his part in putting into force the old constitutional practice in such emergencies, of stopping the supplies till the redress was conceded—not from factious motives, but from a sense of duty and the necessity of the case. Those opposed to this course would be the factious party. Were the advocates of repeal sincere? The attempts that must be made to stop the supplies would test them. The only way to support public credit much longer, which all parties were anxious to do, was to repeal the Corn-laws.

Mr. P. Howard was of opinion that a stoppage of the supplies could not fail to aggravate that distress which it was intended to remedy, and he was quite sure that any motion made with that object must meet with the general condemnation of the great body of the people, and must necessarily lead to embarrassment and confusion in a country where transactions of business were so extensively based upon credit as in England. If the motion now before the House were delayed until Thursday next the hon. Member who brought it forward would have an opportunity of seeing what were the opinions of the House on the subject of the Corn-laws when the noble Lord the Member for Sunderland submitted his proposition to the consideration of the House. There could be very little doubt that the total repeal of the Corn-laws must have the

effect of adding agricultural distress to the manufacturing difficulties which unfortunately at present prevailed. A total repeal of the Corn-laws would throw many hands out of employment, and would greatly narrow the home market. Many of the more sensible operatives were themselves aware of this; they viewed their fellow-countrymen who were engaged in agriculture with very kindly feelings; they did not desire to see them thrown out of employment, and they were therefore favourable to a moderate fixed duty. He should vote against the motion, but he was quite ready to give the proposition of the noble Lord the Member for Sunderland his best and most favourable consideration, and he hoped that her Majesty's Government would do the same; at all events he could not vote for stopping the supplies.

Mr. Aglionby would not allude to the question of stopping the supplies, for that was not, strictly speaking, before the House. He now saw nothing but the repeal of the Corn-laws that would give to the famishing people the relief to which they were entitled. Formerly he had been of opinion that the interests of both the agricultural and manufacturing classes would be best served by a moderate fixed duty; but more recent events, and the alarming crisis that had arrived, had convinced him that nothing could satisfy the exigency but repeal of the Corn-law. He had come to that conclusion with difficulty and pain for he was reluctant to yield up an opinion he had long maintained. What had been the consequence of adhering to the principle of the sliding-scale? Had not the alteration of the right hon. Baronet turned out to be a mere delusion? What party or class would benefit by it? Had commerce? Would labour or would agriculture? The new scheme, it was said, would have the effect of preventing those speculations in the market by which corn was withheld, but was there not a great quantity now withheld in bond? The sliding scale was as injurious to agriculture as to manufactures. He contended, that the House was bound not to separate until they had given that relief to the distresses of the country which the repeal of the Corn-laws would effect, or some equivalent substitute. The state of the handloom weavers, in number nearly a million, demanded consideration. In the early part of the Session he had presented a

petition which stated that since Mr. Muggeridge had made his report, lamentable as their condition was even then, the wages of the hand loom weavers had been reduced 45 per cent. Considering, then, that the repeal of the Corn-laws would afford relief, and that no substitute was offered by the Government, he should support the motion before the House.

Mr. *Hawes* referred the House to the speech made by Sir Henry Parnell on the 15th of June, 1813, when introducing the original resolution on which the law of 1813 was founded, and quoted the following passage:—

"If the trade with the continent was again opened either by the retreat of the French emperor or by peace, these restraints would be removed, the existing law would afford no obstacle in the way of importation, and so much foreign corn would come in as would deprive the growers of it of a fair return for the labour and capital they have applied in extending tillage, and they would necessarily by such events be discouraged from continuing their speculations in improving their lands and increasing their production of corn."

Now, he would ask, was that a broad national ground for the introduction of such a law? On the contrary, he contended, that a more narrow and selfish ground had never been assigned for the introduction of a great measure affecting the food and trade of the whole country. But Sir Henry Parnell was not the only one who had asserted such a reason. The speech of Lord Liverpool was one of the most remarkable ever delivered on the subject; and his declaration on the 26th of May, 1820, was as follows:—

"I was one of those who, in the year 1815, advocated the Corn-bill. In common with all the supporters of that measure, I believed that it was expedient to grant an additional protection to the agriculturist. I thought, that after the peculiar situation of this country, during a war of twenty years, enjoying a monopoly in some branches of trade, although excluded from others—after the unlimited extent to which speculation in agriculture had been for many years carried, and considering the low comparative price of agricultural produce in most of the countries of Europe—the landed property of the country would be subjected to very considerable inconvenience and distress if some further legislative protection were not afforded to it. I thought the Corn-bill was advisable, with the view of preventing that convulsion in landed property which a change from such a war to such a peace might otherwise produce."

The grounds upon which the Corn-law

was supported had entirely changed since then, and his opinion was, that neither the original ground nor the change was justifiable. Lord Liverpool went on to say:—

"What I recommended was—to pass the Corn-bill (and thus to give a further, and under the circumstances I thought a proper, protection to agriculture;) but I delivered it as my opinion, that if it was not passed then it ought not to be passed at all; and upon this ground, which, whether it be wise or not, is at least intelligible—that I could conceive a case in which it might be expedient to give a further protection to the agriculturist, but that I was persuaded that the worst course which it was possible for the Legislature to adopt, was to hang the question up in doubt and uncertainty; that the consequence of not legislating at all would be, that rents would fall—that a compromise would take place between the owners and occupiers of land—that the landlord and the tenant would make a new bargain—and that, if after all the distress that was incident to such changes had passed away, a new Corn-bill should be agreed to, it would be most unequal and unjust in its operation."

Now, he contended, that the circumstances under which the law had been introduced had long passed away, that the ground upon which the bill was framed had passed away, and that the House was bound now to regard this law upon some loftier and more general principles, and he hoped that hon. Gentlemen opposite would do so if they condescended to take part in this discussion. But he supposed that the singular spectacle would again be exhibited of all the speeches being delivered on one side, and hon. Gentlemen opposite not deigning to answer them, while the nation was plunged in a state of distress. He contended that he had the evidence of one of the ablest and most upright Ministers England had ever seen against any Corn-law, because the grounds upon which he had based it were temporary and transitory, and had passed away. When the law of 1828 was introduced, the report of that able and upright man, Mr. Jacobs, upon the general state of the corn-trade, was in existence, and in the course of that report he touched upon the state of manufactures in Prussia. Let the House compare that report with the account of some manufacturers contained in the report of Dr. Bowring. Mr. Jacobs, in 1826, said, that those Prussian districts to which his attention had been directed were not manufacturing. Some few attempts, indeed, had been made, and a pro-

ject had been started for the fabrication of woollens by means of machinery; they were, however, merely attempts. Here, then, was the state of things. In 1826, manufactures were merely beginning amongst those who were now our most powerful rivals; and yet they had neglected the repeated warnings of all who had written and spoken on the subject, and who had clearly pointed out that the manufacturing pre-eminence of England was endangered by her continental rivals. Dr. Bowring stated in his report, that the price of the Prussian cloths was lower; that the spinning, weaving, and earlier processes of their manufacture were equal, but in the finishing there was a marked inferiority. That great market was once open to England, but the House had disregarded all warnings and predictions, and the consequence was, that in the course of thirteen years a document was laid on the Table, showing that the manufacturing population of Germany was daily increasing and improving in force and power. He thought that fact ought to strike deeply into the minds of all who reflected upon the subject. He could not hope that any thing he could say would affect the policy of the Government; but it was most melancholy and discouraging to see the disregard paid to the statements of such men as Mr. Jacobs and Dr. Bowring, and the slow and almost imperceptible progress of sound commercial policy. There was a time in the history of the country in which these topics were discussed as hotly as now, and what were then the sentiments of a Minister of the Crown? He wished not to undervalue what the right hon. Baronet had said and done; but he thought that his measures were lamentably deficient as compared with his speeches. In the right hon. Gentleman's speeches were contained the principles of free trade. It was true those expressions were not cheered by hon. Gentlemen on the other side; but those Gentlemen supported the right hon. Baronet. In 1732, when Sir Robert Walpole, with a view to improve the revenue, introduced his Excise scheme, he proposed to continue the taxation upon a few articles of general consumption, but to comprehend among the untaxed commodities the principal necessities of life, and raw materials of manufacture. He regretted to observe that the noble Lord, the Member for North Lancashire, had attempted to throw ridicule upon the

subject, and had wandered over the world in search of causes for the distress. The noble Lord had singled out China especially; but did our trade with China exhibit any great decrease? Quite the contrary. But if it did, who would be more responsible for it than the noble Lord himself, who had been a party to all the measures to which the original disturbances of our amicable relations with China might be attributed? If there were a falling off in any branches of our trade, he defied any man to say that it was not attributable to the want of fresh markets. These fresh markets could not be obtained without a repeal of the Corn-laws. He did not attribute the whole of the distress under which the country was now labouring to any single cause; but if he were asked how that distress could most readily be converted into comparative prosperity, he should say by a repeal of the Corn-laws. These Corn-laws once abolished, market after market would speedily open in every quarter of the world to the manufacturing enterprise and industry of England. But if those laws were retained at all, it certainly should not be in the form of a sliding-scale. Nothing could be more objectionable, or more injurious, than such a mode of levying the duty upon the first necessary of life. He contrasted the measures of the present Government with those which were proposed by their predecessors in the last Session of Parliament, and asked what the country had gained by the change of Ministry, and delay of a year? Trade and commerce had remained in a state of stagnation, manufactures had languished, the people had sunk into a condition of the deepest distress and suffering. And what, after all, did the Ministry give to the country as the result of its deep deliberations, and as a remedy for the evils complained of?—An Income-tax! which forsooth was to benefit the poor by relieving them from taxation. A more fallacious doctrine was never advanced within the walls of Parliament. He believed that the Income-tax by depriving the poor of employment, would be a deep and lasting curse upon them. With the single exception of the Income-tax, Ministers had not introduced a measure which they had not taken from their predecessors. The Income-tax was theirs exclusively; but every other measure that they had brought forward for liberalizing our commercial system had



been filched from the portfolio of their predecessors. He could not look at the present condition of the country without regarding it as one of great danger and alarm. There was this peculiar circumstance in it, which, in his estimation, demanded the most serious attention. There existed at the present moment a degree of suffering amongst the middle classes which was wholly without a parallel in the history of this country. He would not enter into all the causes of that distress; but if he were to point to any one cause in particular, it would be precisely that for which the right hon. Baronet (Sir R. Peel) had provided no remedy—he meant the general state of our banking system. That was a source of mischief which the right hon. Baronet had never touched, and scarcely ever alluded to. If the Government pursued its course, indifferent to the distress of the country and to the cause of it, he was satisfied that the time would not be distant when a great change would take place in the political feeling of that class which now constituted the chief strength and support of the ministry; and that measures might be forced upon the Legislature which all wise and prudent men would deplore.

Mr. *H. G. Knight* said, the hon. Member for Wolverhampton had the candour to inform the House that this was not his motion, but the motion of the Anti-Corn-law League; but he must remind the hon. Gentleman and his supporters, that the question had been fully discussed already this Session, and that Parliament had come to a decision upon it which they were not likely to reverse in obedience to the dictation of that body. It could not be denied that the distress in the manufacturing towns was both general and severe, but he contended that the immediate and total repeal of the Corn-laws would not diminish that distress—because, whilst it would not produce that immediate demand for our manufactures which alone could afford substantial relief, it would seriously injure the whole agricultural population, and excite such a panic through the whole length and breadth of the land as would produce a stagnation in that home market upon which dependence was still to be placed. It would excite such alarm, such confusion, that the usual transactions of life would be at a stand, and the distress, instead of being dimin-

ished, would be augmented a hundred-fold. What he regretted to hear most from the hon. Member for Wolverhampton was, a sentiment which had been echoed by the hon. Member for Lambeth, namely, that the landed proprietors were anxious to prolong the Corn-laws for the sake of what both Members were pleased to term their “private interests,” and to support the aristocracy. Now he must be allowed to repeat, that the landed proprietors do not desire the greatly reduced protection which has been left to the British growers of corn, to maintain themselves in any particular station, to retain luxuries which might be given up, but to enable the tillers of the soil, the farmers and agricultural labourers, to proceed with their useful occupations. He had no wish for a larger protection than was necessary to keep the agricultural population in employment, and prevent the poorer soils of this country from being thrown out of cultivation. But, taunted as they had been, he would assert that the aristocracy were as useful a class as any other; that, in his opinion, no community can be well governed, prosperous, or well conducted, in which there is not an aristocracy; that the poor man, in nine cases out of ten, is the better off for having a rich man at his side; and that he is the enemy of his country, who endeavours to set the operatives against the landed proprietors, and the lower orders against the upper. He was not for class-legislation; he did not wish that one class should be served at the expense of another; all he looked to was the welfare of the whole community; and this, he asserted, would not be promoted by an immediate and total repeal of the Corn-laws. As a proof that a total repeal would have the effect of throwing a large proportion of the agricultural labourers out of work, he would mention that, on this subject, he had consulted the best authorities, who, at the same time, were advocates for a free-trade in corn, and even they had admitted that a repeal of the Corn-laws would bring down wheat, not to 50s. a-quarter, as had been stated by the hon. Member for Inverness, but to 47s. a-quarter,—a price which would not remunerate the cultivators of any but the best soils in this country. Perhaps upon these subjects he was not an unfair witness, and this was his principal reason for addressing the House, because he represented a constituency which was nearly as

manufacturing as it was agricultural—he was, therefore, accustomed not to take so one-sided a view of these subjects as was taken by hon. Gentlemen opposite, and, placed in this position, he must say that he thought the measures which had already been introduced by the right hon. Baronet at the head of her Majesty's Government, had struck the balance fairly between the two great interests into which this country is divided; and that more could not be done at present without serious mischief. The hon. Member for Stockport, in the torrent of invective which he poured out last Friday evening, and which operated upon him as a shower-bath, had appealed to him, and asked him what he had to say on the subject of the distress at present prevalent in Nottingham. In answer to that question, he was ready to admit that Nottingham was in a very different state from that in which he wished to see it, but still he had reason to hope that it was not in such an appalling state of destitution as had been reported to the hon. Member. At any rate he could state that Nottingham was not desirous of the remedy proposed by the hon. Member for the borough of Wolverhampton. He had a right to assume this, because, two or three years ago, when the hon. and learned Member for Bolton went down to Nottingham to do a little business in the way of agitation, and had convened a public meeting for the discussion of this very question, the total repeal of the Corn-laws, instead of being received with enthusiasm, instead of being unanimously supported, the hon. and learned Gentleman had been hooted out of the hall. The hon. Member for Stockport had rebuked the right hon. Baronet at the head of her Majesty's Government for having stated that, whilst machinery was, on the whole, advantageous, yet it was sometimes the cause of partial and local distress; but he had learnt, from his connection with Nottingham, that partial distress did, sometimes, result from machinery—for it often happened that a man expended his savings in the purchase of a frame, and that, shortly afterwards, his frame was rendered useless by some new invention, the effect of which was that the purchaser of the old frame was ruined, and had to turn off his hands—and he believed that such vicissitudes were not confined to Nottingham, nor only resulted from machinery employed in the manufacture of lace. The hon. Member

for Stockport had asserted that it was a libel on the people to say that there could be such a thing as over-production; but he begged to remind him that such a doctrine was diametrically opposed to the opinions declared by the hon. Member for Inverness, whose speech was eminently deserving of attention. Did the hon. Member for Stockport mean to say that if the Corn-laws were repealed, all the power looms, every species of steam engine, and machinery, might be set to work, and kept at work for ever and ever, without producing more goods than were wanted? He felt assured that it was not by acting up to such opinions that the hon. Member had made his fortune. He was well convinced that care had been taken to proportion supply to demand. For his part he was convinced that over-production on the one hand, and the monetary embarrassments of the United States on the other, were the two main causes of distress. Whatever the amount of that distress might be, he was convinced that it was increased by such discussions as the present, by exaggerated statements, and inflammatory appeals to the passions of a suffering and deluded multitude. Nothing but mischief would result from the loud denunciations and the predictions of evil which were heard in that House night after night. He must say that, if he was a despotic king, and an insurrection, which had been openly predicted, were to take place, his first act would be to hang the prophet. And when they heard men, who called themselves the ministers of religion, distort the language of the Gospel of peace for purposes of strife and dissension, and suggesting deeds of violence which, otherwise, would never have entered into the thoughts of their deluded auditors, it was grievous to find that they made such a use of the influence which they possessed. But then it was said, will you separate without doing anything for the suffering people? How do you expect to get through next winter, without providing relief? He acknowledged and deplored the distress. He feared that it must continue for some time longer, and if it pleased Providence, for inscrutable reasons, to visit this country with the dreadful calamity of another bad harvest, he might then think that it would be proper to assemble Parliament again, and see what could be done; but he owned he had better hopes: he did hope that the

approaching harvest would prove a better measure than any this House could devise; he was persuaded that, as soon as those who held corn in hand perceived that the harvest was likely to be a good one, they would hasten to bring their stores into the market, and then the price of food would be considerably cheapened. With these helps we might hope to get through the time till the operation of the measures introduced by the Government begin to be felt. It was his firm belief that, if those measures were allowed to have a fair trial, the evils which had been so loudly complained of would be gradually mitigated, and that, finally, prosperity would be restored. Of one thing he was certain, that the distress would begin to subside whenever the House was prorogued, and hon. Members opposite had no longer the opportunity of making speeches on the subject.

Mr. *Hindley* regretted with the hon. Gentleman who had just spoken, that any proposition should be pressed upon the consideration of the House by a body of men out of doors; but he saw in the circumstance of the second visit to London of the Members of the Anti-Corn-law league, the strongest proof of the extreme urgency of the case which they were deputed to represent. With respect to the question before the House, he believed that the distress was not denied by any hon. Member; they all admitted, and they all deplored it, and he could not charge hon. Gentlemen opposite with feeling less than they on the opposition side did on this subject. Hon. Gentlemen opposite had, however, attributed that distress to two or three causes. The hon. Member for Macclesfield attributed it to the increase of machinery, which, he said, had increased to such an extent, that the manufacturers might not only clothe the inhabitants of this world, but also of another as populous. He wondered it had not struck the hon. Member, when he made that assertion, that they had not been able to clothe the people of our own island; for he believed there never was a period when the people were worse clothed than at present. Another cause of distress was said to be the joint stock banking. Now, the act passed in 1826, and during the years that followed up to 1833, they had never heard a single complaint of the joint stock banks. He begged now to call the attention of the House to the price of wheat during the

last twenty years. Having been engaged in manufactures during that period, he thought he had some right to ask the attention of the House to this point. For the four years ending 1820, the price paid by the people of this country for wheat was 252,000,000*l.*, being an average of 63,000,000*l.* per annum. It would be recollected that during that period the riots in Manchester took place, and he begged the House to remark that during that period the average price of wheat was 78*s.* 3*d.* per quarter. For the four years ending 1824 the price paid for by the people for wheat, instead of being £252,000,000, as in the preceding four years, was only 168,000,000*l.*, the average price being 52*s.* 11*d.* per quarter. The House would perceive that in those four years they had about 80,000,000*l.* to spend for clothing; the great part of this sum, of course, went to Manchester, and he perfectly well remembered that in these four years he trebled the capital which he had in business. It was the cheapness of food during those four years that enabled the people, after supplying their necessary wants, to lay out the surplus in clothing and other comforts. For the four years ending 1828, the amount paid for wheat was 182,000,000*l.*, the average price being 60*s.* 2*d.* per quarter. For the four years ending 1832, the amount paid was 204,383,000*l.*, the average annual amount paid being 51,000,000*l.*, and the average price 63*s.* 11*d.* per quarter. For the four years ending 1836 the amount laid out in food was 149,450,000*l.*, the average price being 46*s.* 9*d.* per quarter; and those were the years in which they were told the foundation of the present distress had been laid. The fact was, that in those years the low price of corn left the people 80,000,000*l.* to spend in clothing and the other comforts of life. Of course, the people in the manufacturing districts got a large portion of this money, and this, necessarily, led to the erection of joint stock banks. For the last four years, the amount paid for food—instead of 149,451,000*l.*, as in the previous four years—was 212,000,000*l.*, being about 72,000,000*l.* more than in the preceding four years. Of course all this was abstracted from the manufacturing portion of the country; the people having to expend all their means in the purchase of food, they were of course unable to purchase clothing. He thought, therefore,

that the hon. Member for Nottinghamshire might safely prophecy from these figures that there would be prosperity for the next four years, should the price of corn be under 50s. per quarter. But what had been the effect of the new Corn-law? Had corn been let out of bond at a period when they would have expected such to be the case? Nothing of the kind. The holders were still looking to a shilling duty, and they all hoped to be able to sell their corn at a time when the revenue would derive but little advantage from the sales. The right hon. Baronet had thrown out hints the other night that it might be of advantage to the holders to let their corn out of bond, and that they might do worse than let out their corn at a 6s. duty. He found that only on one occasion during the last ten years had corn been taken out of bond to any extent before the month of September, and if the right hon. Baronet could bring it before that time this year, he would give him all the credit of doing so. He trusted, however, considering the present distressed state of the country, that the Government would be prepared either to accede to the motion which the noble Lord the Member for Sunderland had placed on the paper, for a 6s. fixed duty, or to agree that corn should be allowed to come in at a 1s. duty, whenever the price exceeded the sum which the agriculturists themselves admitted to be a fair average price. In connection with the distress which existed, he could not help advertg to the course pursued by Lord Liverpool with regard to the manufacturing distress of 1825 and 1826. When a deputation came to that noble Lord on the subject of an advance of money by Exchequer-bills, he told them that Government were adverse to such a practice; but he gave them a recommendation to the Bank of England, and the Bank advanced the money to the manufacturers. The consequence was, that confidence was very soon restored, and a sum of not more than 400,000*l.* sufficed for this purpose. He trusted that the right hon. Baronet at the head of the Government would give them some assurance that the price of food during the next year would not be allowed to rise to a price which would exhaust the means of the labouring classes in the purchase of the article of bread alone.

Mr. F. Scott as the representative of a county in which there were many manu-

facturing towns and considerable distress, could not think that that distress had in any extent arisen from the present Corn-laws. Those Corn-laws had recently been modified, and it would be unfair and absurd not to give them a trial. They were supported by that side of the House, not for the sake of their rent-rolls, but for the sake of the labouring poor, who would by their repeal be thrown out of employment and into fearful distress. There was no point more decided in history than that the independence of a country rested upon its supply of corn, and that supply was secured by the present system of Corn-laws. It was remarkable that 200 years ago, the principle of those laws met with able and distinguished advocates. Sir Thomas Culpepper, in 1621; Mr. Hartley shortly afterwards; an eminent writer in 1651, referred to by Mr. Huskisson; all supported the necessity of a country's independence for its supply of corn in a manner particularly applicable to the discussions of existing times. The example of France was one which they ought to ponder upon. She had, during the administration of M. Colbert, acted upon free-trade principles with regard to corn, and the fruits which she had reaped ought to warn them from adopting the same course. During the continuance of the prevention laws the price of grain had been steadier and lower in England than at any other period.

Sir C. Napier said, that he did not rise to discuss the question of the Corn-laws, and he regretted that the hon. Member for Wolverhampton had brought forward the question. He thought it a waste of the time of the House. He advised hon. Gentlemen on that (the Opposition) side of the House, to give the right hon. Baronet at the head of the Government, with as little delay as possible, his supplies. All the country knew that they were dissatisfied with the Corn-laws. If the right hon. Baronet would listen to him, he would advise him to give up the Poor-law bill for the present Session. There were no less than fifty-four amendments, and it was impossible they could carry the measure unless they were to sit not only to the end of summer but to the end of autumn. He advised the right hon. Baronet to take his supplies and send Members home as soon as he could, to watch over the peace and tranquillity of the country, which, he maintained, was in

extreme danger at the present moment. He would require the exertions of every hon. Member to preserve peace in their own localities; and he believed, if the right hon. Baronet would follow this advice, that he would very soon see the necessity of opening the ports of this country, a step which he was far more likely to take if left to himself, than if he were compelled to sit in that House till two or three o'clock in the morning.

Sir R. Peel said, I am grateful to the hon. and gallant Officer for the expression of opinions so congenial to my own feelings, and so conducive to my health. I am glad to hear it admitted by the hon. and gallant Gentleman that the question of the Corn-laws has been fully discussed, and that it is unfair as well as unjust to adopt such a mode of stopping the supplies. I am also glad to hear the hon. and gallant Gentleman add that upon which I would not venture; namely, that such discussions are an unwarrantable waste of the public time. [Sir C. Napier: I only expressed my own opinion.] That may be the case, but in justice to the other side of the House, I am bound to say that in that opinion he does not stand alone. It is argued that the present Corn-laws are as objectionable as the preceding; and the hon. Member for Ashton stated, that under the old system corn was withheld until August and September, when the foreign growers would introduce it in consequence of the duty falling to 1s. The hon. Gentleman said that the same objection applies to the present law, and added that if I could show him that the present law was more favourable to the consumer than the former one, I was entitled to some credit for having made the change. Gentlemen on the other side have, however, though I will not say intentionally, adopted a course which in effect prevents my measure from having a fair trial; for whilst any hope exists that Parliament will be induced to alter the law, and that corn might be admitted into this country on more favourable terms, the measure can have no fair trial, for the grain will be held back. I have quoted, on a former occasion, an instance to show, that under the existing law, corn had come in, not certainly in the quantity I wished, but to a greater extent than under the preceding law. The period to which I alluded was the 23rd of June, when there came in of foreign corn 27,500 quarters

and of colonial corn 6,000 quarters, making in all 33,500 quarters. The hon. Member for Liskeard said, that I happened to light on a lucky week, but in answer, I stated, that I took the last week in the returns. I now, however, shall quote the returns of a week later, to show that the results are not so unsatisfactory as some hon. Gentlemen would have them believed to be. Notwithstanding the expectation which had been held out respecting an alteration in the state of the law, it appears by the return for the 30th of June, that, for home consumption, there had been brought in from the colonies 5,002 quarters at 1s. duty, and of foreign corn 48,112 quarters. The whole of the corn for home consumption amounted then to upwards of 53,000 quarters. This, then, shows the satisfactory working of the law; and, in addition to this, I am informed that the harvest has already commenced in some parts of the country. The consequence is, a fall of 2s. in Mark-lane, and in other parts of the country there is a similar tendency to a decline of price. This occurred notwithstanding the expected alteration in the law, from which arises a disposition on the part of the holders of corn to keep it back. I repeat, then, that if, under the existing impression that the law is to be altered, such circumstances have occurred, those who hold back with such an impression labour under a great error, and are likely to incur a considerable loss. If they believed that the price would rise till corn would be admissible at a duty of 1s., my belief is, that these parties would have committed a great error, and incurred large loss. It would evidently be most unwise to proceed to condemn the law after an experience of seven weeks; but, even judging from the experience of seven weeks, if you choose to form a judgment from so short an interval as to the effect of a new act of Parliament, I think marked symptoms of improvement are perceptible within the two last weeks. Notices of importation under the existing law from very remote parts of the continent, and the prices given at which that wheat can be imported, combine to show that the unfavourable conclusions drawn with respect to the operation of the existing law are not founded in any experience from which you can draw a safe inference. Considering the motion which was made by the hon. Member for Aberdeen, the motion which

has been made to-night, and the motion of which the noble Lord had given notice, I think you may fairly infer, if the law has not operated so rapidly or so favourably as might have been expected, that a part, if not the whole of that unfavourable operation, is to be ascribed to the expectations which these notices have created in the minds of the dealers that the present arrangement would be disturbed. Nothing shall tempt me to extenuate the facts attested by the reports received from various parts of the country as to the existing distress. It is impossible for me to allude to it without expressing the deepest regret at its existence, and the sincerest sympathy with those who are its unfortunate victims. I say at once, that if I could believe that a material alteration of the Corn-law would produce any permanent relief, not only I, but I am sure those who are, like myself, immediately connected with the land, if they were convinced that the Corn-laws were the main cause of the distress, and that their repeal would give substantial and enduring relief, would instantly relax our determination to maintain them. I am afraid that the measures of commercial reform which Government have felt it their duty to propose have had a tendency to increase the stagnation of trade now so severely felt. I think, that even the reduction of the duties on articles in respect to which no difference of opinion prevailed—I am not now speaking of corn or sugar, but of raw materials on which a reduction took place, with satisfaction to the great majority of this House—I say, I believe that in these, as in many other instances, the attempt to effect admitted reforms is accompanied with present, although I trust, only temporary pressure. I think this view is confirmed by a reference to the revenue returns for the last quarter, from which it appears, that on several articles of the Customs there had been a falling off, and on others an increase. It may be interesting to observe the articles on which there has been an increase of revenue, which is a test of increased consumption, and those in which there has been a decrease, a test of diminished consumption. There has been a decrease in the article of wine. We are now engaged in negotiating commercial treaties on that subject, and I beg to say, we have this day received accounts which inform us, that we have succeeded in carrying into complete effect the intention of

the noble Lord and the Government which preceded us with respect to a commercial treaty with Portugal. This day we have received word that that treaty has been signed, and negotiations have been set on foot for our amended tariff, of which I will only say, that they are proceeding in a satisfactory train. But one effect of this negotiation, and of the prospect of a diminution of duty on wines imported from Portugal, as well as of the impression which was probably anticipated on the Government and people of Spain, who might be supposed to be awakened to the policy of entering on negotiations with this country, has necessarily been to paralyze the retail trade and lead to a diminished demand for wine, and the holding back of the stock on hand. I believe it will be more reasonable to attribute the diminution of duty to the doubt caused by pending negotiations, rather than to any diminished power of consumption; but the consequence has been a falling off in the duty on wine of 108,000*l*. The next article in respect to which a great falling off of duty has occurred is that of timber. The announcement of an intention to reduce the duties on Baltic timber, and entirely to abolish the duty on Canada timber, has necessarily produced, as was inevitable, some stagnation in the trade. The hon. Gentleman opposite reproaches me with not having made the reduction of duty immediately. In all these matters it is of great importance not to press too heavily on existing interests. We determined not to allow any drawback on account of timber imported at the old duties. Urgent remonstrances were made to us as to the individual suffering, the ruin almost, which would be inflicted by any hasty and precipitate reductions of the duties on timber by a given day; and in consideration of those remonstrances we considered it right to postpone the application of the new duty, rather than return to the bad and objectionable system of drawback. But, while endeavouring to do justice to individuals, we have occasionally improved the productiveness of the revenue to some extent. It was doubted at the time, whether it would not have been wiser to make an immediate reduction; but I think I may appeal to those who were in favour of the general policy of the measure, and even to the hon. Member for Lambeth himself, whether severe distress would not have

arisen from an immediate reduction. One of the most effectual means of removing the obstacles which impede the progress of sound and salutary reform is, to prove to the country that you can effect them without ruin to individuals; you will thus make it much more solid and enduring. In the present case, the effect which I have noticed has no doubt occurred at a most unfortunate season of stagnation in trade, and the loss of revenue on the article up to the 5th of July has been 113,000*l*. The next articles on which a loss has occurred are those of brandy and rum. Here the effects of the uncertainty prevailing as to wine have been felt, and there has been a loss of 31,000*l*. Let us now look at the chief articles on which there has been an increase, and we shall find they have been articles in no way affected by our commercial reforms. Upon sugar, on which we avowed our intentions, on which a reduction of duty in the course of the present Session was not expected, there has been an increase in the revenue for the last quarter to the amount of 113,000*l*. On molasses there has been an increase of 34,000*l*. On cotton-wool, the duty on which I expressed great regret that I could hold out no hopes of being able to reduce, there has been an increase of 96,989*l*. On tea, another article with respect to which we expressed our intention to make no change, there has been an increase of 16,718*l*. Comparing the articles on which there has been a reduction with those on which there has been an increase, I own I am afraid that to the tariff itself is partly attributable an increase of the depression now so much to be deplored. After the declaration I have already made with respect to the necessity of votes of money for the public service, of course, this is not a time to enter into a prolonged discussion on this subject. I have already, at a former period of the Session, stated my general views on the financial and commercial policy of the country. I was charged the other night by the hon. Member for Stockport (Mr. Cobden) with having attributed a portion of the distress under which the country is now labouring to the effect which the rapid introduction of improvements in machinery produces among the labouring classes. I thought I had done all I could to guard myself against being supposed to hold the opinion either that you can impede the progress of mechanical invention; or, that if you could throw im-

pediments in its way—looking at the general, enlarged, and permanent interests of the country—it would be politic to take any such measure; but at the same time, Sir, I am quite at liberty, if I entertain an opinion regarding the partial and local operation of improvements of that description, to speak the truth. I stated my opinion that the rapid application of improvements in machinery has a tendency, in certain parts of the country where there is less capital and where the machinery is less improved, to throw men out of employment, and consequently to produce distress. Take what course you will on the Corn-laws, the hope that a country so artificial as this, the seat of manufactures so extensive, can be exempted from partial suffering is, I fear, visionary. The hon. Gentleman said, that the report made by the assistant Poor-law commissioners who went to Stockport was highly creditable, that their opinions were most just. I am not much disposed to quote the opinion of Poor-law commissioners on a subject of that nature, however high their character, however satisfactory the mode in which their duties are discharged; but these gentlemen took the evidence of all the principal manufacturers and residents in Stockport who were capable of giving them an opinion, and if the hon. Gentleman wishes for the evidence of his townsmen, I think he will see I am, at least, fortified by high practical authority in stating that the immediate effect of the rapid introduction of machinery must be to cause partial distress. I will quote no evidence but what is of high authority and given by persons from Stockport itself. Mr. Lawton, one of the relieving officers of the union, is asked—

“Have the working classes been in distress at Stockport during the whole time of your service, or when did that distress appear to begin, and what has been its progress up to the present time?” He states—“There was no great pressure in the number of applications for relief before the year 1838, excepting under such casual circumstances as the break-down of a mill, or the turn-out of the hands, which have occasionally occurred. About the end of 1838, the applications became more frequent. At that time several of the manufacturers began to introduce improved machinery into their mills, which enabled them to reduce the number of hands. In some cases one man would be enabled to do the work of two by what is called coupling the frames. There has been a gradual increase of distress since that year, a

number of factories having stopped work altogether, and others having worked short time. About the commencement of the last quarter, which ended the 25th of December, 1841, the applications increased in a great degree, in consequence of the stoppage of Messrs. Lanes' and Messrs. Carrs' mills, and a large proportion of those now upon our books were thrown out of work at that time."

The great majority of the witnesses attribute a considerable portion of the evil to the operation of the Corn-laws, but I am now showing that the great majority do admit also that the sudden application of capital to improved machinery must ever have a tendency to produce a diminution of manual labour. The hon. Member says—"Do not countenance the vulgar prejudices entertained by the workmen." I do not want to countenance them; I wish to state the truth as to the matters in question; and when the hon. Member deals in such lavish abuse of those who hold different views from his, he must allow us, even at the risk of being unfairly charged with countenancing vulgar prejudices, to state the truth, when we are considering this important question, whether the Corn-laws can be assigned as the chief and only cause of the existing distress, and whether their repeal is likely to prove a permanent remedy. I am referring here, not to the opinions of speculative writers on the subject, but to the opinions of gentlemen who are his constituents and townsmen, recorded in a report which he says is entitled to the highest credit. Mr. R. M'Lure, in his examination, is asked—

"Has there been any reduction in the rate of wages paid in the spinning and weaving mills?" He states—"Within the last two years there has been a reduction very generally; there is no exception to that; if one does it, another must. In the spinning department we have since December, 1839, reduced the wages of labour from 2s. 11d. per 1,000 hanks to 2s. 1d., which has been wholly unconnected with any change in the machinery, or any increase or decrease of production. I have reason to believe that that is about the rate of reduction in the spinning department throughout the town; that is, about 30 per cent. The card-room hands and the throstle-room hands have been reduced about 7½ per cent.; that is also since December, 1839. The weavers' wages have been reduced about 9 or 10 per cent. The other hands connected with the weavers have been reduced in about the same proportion. I believe that the rate of reduction in these departments also has been the same throughout the town."

"What has led to the larger rate of reduction in the spinning department?—Principally the introduction of the self-acting mule, which has been introduced into many of the mills in Stockport and the neighbourhood. We have had self-acting mules in our mill in Heaton Norris since 1834, and have been continually improving our machinery to the present time, by which means we are doing with fewer hands by 100 for the whole mill for the same quantity of work than in 1836, when the mill was first filled with machinery."

Well, but the hon. Gentleman said, improvements were very slow in their progress, and that it was almost impossible to get anybody to introduce the better machinery; that patents were taken out of which no one would avail himself. The witness whose evidence I have quoted states that they can now get the same quantity of work done by 100 hands less than in 1836, in consequence of the machinery which has been introduced. I do not say that it would be wise in Government to check the extension of machinery. I do not say that this is not the instrument which will enable us most effectually to sustain the competition of foreigners. I do not say that ultimately and permanently there will not be a vast increase of strength from machinery. I am countenancing no vulgar prejudices, but when in 1841 I see that the same quantity of work can be done in one mill by 100 hands less than in 1836, I cannot help still retaining my opinion that improvements in machinery must have an immediate and local effect, and it is unjust to make such charges against me when I am only with fairness, and I trust with temper, stating the causes which must be sought for to account for the distress. The third witness I shall quote is Mr. Cruttenden, the partner in a well-known firm at Stockport, selected, I presume, as being the most intelligent and enlightened. His evidence is as follows:—

"Are you of opinion that there has been any falling off in the home consumption of manufactures in this country?—I have no reason to believe there has, if you look to the whole of Great Britain and Ireland. We manufacture entirely for the home trade; and we have not produced as much as we used to do, because the present rate of prices does not remunerate us. By working short time we lost about three months in 1840, and more than three months in 1841. But then during the last few years the number of producers has very much increased, and I believe that there has been quite as much cotton actually consumed in the home market as ever. It must



be remembered, as I stated before, that there has been an immense increase in production. Owing to the improvements in machinery a much greater amount of goods can be manufactured in a certain period of time than formerly. By working full time, we ourselves could manufacture nearly twenty miles of calico a day; and when you consider the immense amount of steam power employed in the cotton manufacture, this will give you some idea of the powers of production which are daily in operation, and which must have a tendency to reduce prices.

"Do you think that the laws affecting trade have contributed in any degree to cause the distress at present existing in Stockport, or in other manufacturing districts?—I do not think they have had much to do with it. I am aware some persons suppose that the Corn-laws have been the cause of our present distress. I believe that the distress has arisen in a far greater degree from the immense increase in the amount of capital which has been employed in the cotton trade, and the consequent unnatural increase in the production of manufactured goods."

I shall trouble the House with but one more short passage from the evidence of Mr. Forster, the chairman of the board of guardians. I believe a most respectable person, who formed one of a deputation with which I had an interview on Saturday morning, and who fills the situation he now holds solely from a sense of public duty. He says,

"What has induced the guardians to adopt so strict a practice in reference to removals?—We think it, in the long run, for the interest of the town, to remove all those who are burdensome, and do not belong to us, notwithstanding the expense which attends their removal. The great improvements which have recently been made in the machinery of factories have reduced the demand for labour; and the present prospects of trade are such, that there is little probability of the hands now idle getting into employment within a moderate period of time. We have to consider many conflicting interests on this point; it is the apparent interest of the manufacturers and shopkeepers to retain the population here; but, on the other hand, our own settled labouring population may be benefitted by reducing the supply of hands under these adverse circumstances; and what weighs with us mainly is, that the rate-payers ought to be relieved, by such means as the law affords, from the burden of maintaining those who are no longer useful to the town."

The hon. Gentleman spoke of 30,000*l.* having been applied to the erection of new machinery. Now, suppose some temporary cause—the fire at Hamburg, for instance, creates an unusual demand for

some description of goods. A person having the command of such an immense mechanical power is enabled to supply the demand, and the advantage of machinery is, that we can defeat foreign competition in any market where there is an extraordinary demand. Compare the effect produced by this machinery with the condition of countries in which there is less machinery and capital, and do not tell me that there may not be very severe distress in certain localities co-existing with general manufacturing prosperity. That was all I said on a former night, that opinion I decidedly retain, and I fear that in this country, even when trade is prosperous, we must still expect that there may be in some districts a great amount of suffering. The hon. Gentleman the Member for Oldham asked me to pay attention to his observations. I did pay the utmost attention I could, but I think most hon. Members must have observed, that it is not very easy to catch what falls from the hon. Member. The hon. Gentleman said, that in 1815 the handloom weaver received 27*s.* a week, the price of corn then being 63*s.* 9*d.*; that in 1824 the price of corn was 62*s.*, and the wages of the handloom weaver had fallen to 13*s.* 6*d.*; in 1833 the price of corn was 53*s.*, and the wages had been reduced to 8*s.* a week, and in 1842 they were reduced to 3*s.* a week. Now, I cannot conceive that any operation of the Corn-laws can be the main cause of this extraordinary fall. There must be some other cause. Whatever may be the effect of machinery or competition in producing this depression of wages I know not, but when I compare the price of corn in 1815 with its present price, and when I look at the vast quantity of cotton imported, manufactured, and exported, and retained for home consumption,—when I consider the marvellous increase which has taken place in the purchase of the raw material, and in manufactured goods, and when at the same time I look at the rapid decrease of wages, as stated by the hon. Gentleman, at the time when manufactures have been increasing in a most extraordinary way, I cannot, I repeat, attribute this diminution of wages mainly to the operation of the Corn-laws. Here is an account of cotton manufactured since 1831. I have no means of comparing the increase with 1815; but since 1831 there has been a most extraordinary increase in the quan-

tity of cotton imported for manufacture and retained for home consumption, and the quantity of cotton goods exported. In 1831 the total quantity of cotton spun was 208,000,000 lbs., and in 1841 it amounted to 337,000,000 lbs. The total quantity of yarn manufactured goods in 1831 was 70,000,000 lbs., and in 1841 it had risen to 138,000,000 lbs. Now, though it might be that we do not take corn in exchange for our cotton goods, yet the quantity of goods exported, for which we receive some sort of return, has been enormously increased, comparing 1841 with 1831, and with 1815 also, when the wages of the artisan were so high, as described by the hon. Gentleman, and when corn was about 64s. a quarter. The increase of the trade, as measured by the imports and exports, has been most extraordinary. I was also taunted by the hon. Member for Stockport for having referred to the necessity of maintaining the public tranquillity. However much we may lament the sufferings of the people, however inadequate our measures may be deemed by way of remedy for the distress, yet it is for the interest of all parties that the Government should maintain the public peace. I said that the people had shown unexampled patience in the midst of their distresses, and I was deprecating appeals to their passions, and the use of exciting language. In this feeling I should expect that every true friend of the working classes themselves would concur. Reference was made in the House the other night to a handbill headed "Murder," in large letters, and I was glad to hear the hon. Gentleman state that he knew that the members of the Anti Corn-law Association decidedly deprecated the issue of handbills of that nature. I think, he said, he knew they were no parties to the issue of the handbill in question; that they discountenanced it in every manner, and had read the expressions contained in it with the deepest regret. I was glad to hear that declaration from the hon. Gentleman; at the same time I think there ought to be a more effectual measure taken for the purpose of manifesting a severance between disseminators of bills of this character and those who profess to have the true interest of the working classes at heart. I was determined to make no reference to this handbill without information, but these facts have been stated to me:—

"The inflammatory placard headed 'Murder' continues to be issued in a shop in Market-street, Manchester. The placard was still exhibiting on the 23rd of June, at No. 22, Market-street. Above the door of this house there are printed the words, 'The dépôt for the National Anti-Corn-law League.' The printer of the placard, who is the tenant of that shop, is the printer and publisher for the Anti-Corn-law League. About four doors distant from this 'dépôt' was a building in which the Anti-Corn-law League held their meetings."

I am glad to hear from the hon. Member that the members of the Anti-Corn-law League express their disapprobation of the exhibition of this placard; and I trust what I have stated may induce them to take steps which may make it impossible for any person to attribute to them any participation in appeals of this nature to a suffering population. In the course of these debates it has been repeatedly said that "something must be done. Let the Government state what they mean to propose for the relief of the people. We look for relief." I advert not to subscriptions; but I trust nothing will be done that shall have a tendency to check their progress. I trust the country will still feel the obligation of contributing towards the funds raised for the purpose of alleviating the existing distress. Yet I am convinced that this is no permanent remedy for the distress—it is only a temporary provision. It effects much good by mitigating the sufferings of the people, and I trust that even those who may disapprove of the policy of the Government will do nothing tending to diminish the amount of these benevolent contributions. It would be perfectly consistent for persons to disapprove of the commercial policy, and yet not to throw any obstructions in the way of the subscriptions which are being collected. I stated in the early part of the Session that my hope of permanent relief for the suffering which afflicts the country consisted in an extension of the commerce of the country. I stated also the general principles on which I thought that commerce ought to be established. I stated, and I am ready now to repeat the statement, that if we had to deal with a new society, in which those infinite and complicated interests which grow up under institutions like those in the midst of which we live had found no existence, the true abstract principle would be "to buy in the cheapest market, and

to sell in the dearest." And yet it is quite clear that it would be utterly impossible to apply that principle in a state of society such as that in which we live, without a due consideration of the interests which have grown up under the protection of former laws. While contending for the justice of the abstract principle, we may at the same time admit the necessity of applying it partially; and I think the proper object is first of all to lay the foundation of good laws, to provide the way for gradual improvements, which may thus be introduced without giving a shock to existing interests. If you do give a shock to those interests, you create prejudices against the principles themselves, and only aggravate the distress. This is the principle on which we attempted to proceed in the preparation of the tariff. I admit that we have not applied, and I have stated the grounds on which we abstained from applying, to the great articles of subsistence the principle of buying in the cheapest market. I frankly admit this. With respect to corn, I think it possible, if you repealed all protection, a present stimulus must be given to manufactures; but the time might come when, notwithstanding the stimulus given to manufactures, if the effect of that repeal should be to discourage domestic agriculture, and render you dependent on foreign supplies, you would repent of the measure you had adopted. I do not wish to enter into this argument, but I hope it may be borne in mind that we did reduce the duties on foreign corn to an extent which induced many Gentlemen on the other side to upbraid us with having broken faith with the country gentlemen, and to allege that I was disintituled to the support of those who placed me in office. The duties were reduced more than one-half. I have already stated that I think those who disapprove of the law too hasty and precipitate in their condemnation. I think it is entitled to a fair trial. The period will shortly come when it will be subject to that trial, and in the meantime I deprecate inconvenient discussions like the present, which may have the effect of retarding the attainment of an object so desirable. With respect to sugar, no reduction has been made, but the motion you assign for this is entirely without foundation. I utterly deny that we abstain from reducing the duty for the purpose of conciliating Parliamentary support

by giving undue protection to the West-Indian interest. I believe that that interest is one of the weakest in the country; and I deny that our conduct with respect to sugar has arisen from any unworthy motives. To judge properly of the measure introduced by the Government, altering the duties on foreign produce with a view to the relief of trade, you must look at its whole effect. With respect to the enactments of the tariff regarding cattle, what was stated by an hon. Gentleman opposite? He said that three or four years ago he contemplated the same kind of measure, but was told by the then President of the Board of Trade that it would be considered revolutionary by the agricultural interest. At any rate we proposed a measure which, for its reduction of duty, gave general satisfaction to those who ask for a reduction of duty on agricultural produce. At the commencement of this year declarations were being constantly made about the comparative prices of meat in this country and abroad. There were constant prophecies that no attempt would be made to deal with the monopoly of provisions in respect of cattle and meat. In respect to rice, potatoes, fish, and various other articles of subsistence, there have been made most extensive reductions of duty; and with respect to raw materials there was likewise a reduction, such as the advocates of free-trade could scarcely complain of. The effect of all this change could not yet be fairly estimated. But then it was asked, "Do we intend to do nothing else?" We do intend, agreeably to the recommendation of a committee, to permit the taking of foreign corn out of bond, on substituting for it in the warehouse, or delivery for exportation, an equivalent quantity of flour or biscuit. With respect to other countries, it will be our endeavour to extend, on the true principles of reciprocal advantage, the commerce of the country. An hon. Gentleman opposite asked, why have we not meddled with the banking laws? What would have been the advantage of such a course? Every day at the disposal of the Government has been consumed in the consideration of the measures I have mentioned, and up to the present time we have scarcely been able to pass more than the first clause of the Poor-law. What encouragement then, have we to introduce a measure which, when introduced, ought to be brought to

a practical conclusion? Does the hon. Gentleman think the public advantage would be consulted by tossing on the Table of the House a bill affecting the whole banking interest, and leaving it unfinished? Instead of affording relief, this would only tend to aggravate distress. With respect to the Income-tax, we have been taunted with having done nothing but introduce that measure. We brought it forward as a substitute in part for other taxation, which we thought was pressing more heavily on the industry of the country. We introduced it because there was an absolute deficiency of revenue, and because we thought it desirable, in reference both to the public service and the public credit, that this deficiency should be made up. I thought, and the country thought so too, that it would be wise to make a great sacrifice to supply the deficiency; and never did the country respond with greater unanimity to the demand which was made upon it. Hon. Gentlemen may think the country wrong; but could any Government ever have carried that measure against a decided expression of public opinion? Instead of hostility, there has been a decided expression of feeling throughout the country that the deficiency ought to be supplied; and though I will not contend that an Income-tax, or taxation of any kind, has any other effect than that of curtailing in some respect, the amount of capital applicable to the productive interest of the country, yet I maintain, that as there was a necessity to raise 4,000,000*l.*, the best course to pursue in the present condition of the country, was to levy that amount on the property of the country, rather than on articles which entered into consumption. These are the measures which, with the consent of Parliament, the Government have passed. As I have before said, the Government have entered into negotiations with other countries. A treaty has been satisfactorily concluded with Portugal, and treaties are pending with other countries. I hope, now that we have been able to bring these measures to a conclusion, with some difference of opinion on this side of the House, on account of the alarm given to the agricultural interest, that they will be allowed to have a fair trial; and if they do not prove calculated to increase the prosperity of the country, if they should prove inadequate to meet the distress of the country, in that case I shall

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be the first to admit that no adherence to former opinions ought to prevent their full and careful revision; but I hope that no precipitate conclusion will be come to, but that a fair experiment will be made, in order that we may see whether they have a tendency to revive the prosperity of the country, and to terminate that stagnation which no person in this great community views with deeper concern than those who are immediately responsible for the Government of the country.

Lord *J. Russell* observed that the speech of the right hon. Baronet contained such a variety of observations in justification of his measures and his policy, as First Minister of the Crown, that he could not refrain from attempting, whilst answering that speech, to follow the right hon. Baronet step by step in the course adopted by the right hon. Baronet on this occasion. Let him first remark that he judged from the concluding sentence of the right hon. Baronet that, although he had carried his measures through Parliament, he was not very confident as to their success. That they were brought forward as an experiment, which, if successful, would be a source of great gratification to the right hon. Baronet, but that if they failed, then the revision of those various measures would, at a future period, become necessary. It appeared to him therefore, that the right hon. Baronet and the Government were not over-sanguine that the measures they had propounded would have the effect which it was hoped they would have. But passing that by, the reasons the right hon. Baronet had shown in support of his measures, and why the House should refrain from interfering with the executive, in respect to the business of this Session, did not satisfy him, nor ought they to satisfy the House, that those measures would be attended with the beneficial results which were expected from them. The right hon. Baronet said that those who brought forward motions on that (the Opposition) side, might do that which would tend to prevent the admission of foreign corn. Now, without entering into the question whether those motions were wise, or properly brought forward, he was desirous of recalling to the attention of the House, that until eight weeks after the passing of the Corn-law bill, there had been no interruption of the proceedings of the Government from that side. Until then nothing more than the very natural

declaration had been made and repeated that the sound commercial principles announced in the tariff of the Government must finally extend to that most important article, corn. But if he looked back to what occurred under the Corn-law which existed last year, he saw no reason to think that the right hon. Baronet's opinions were well founded; for when the right hon. Baronet attributed it as a great merit in the existing law that 25,000 quarters of foreign corn had come in in one week, and more than 48,000 in another, he would take leave to remind the right hon. Baronet that last year, when the high duty which the right hon. Baronet took credit to himself for having reduced prevailed, during two early months, long before August, the admissions of foreign corn were greater than those stated by the right hon. Gentleman. He found that in the week ending the 6th of April, 1841, the amount of foreign corn introduced was 58,825 quarters, and in the week ending 21st May, in the same year, the admissions of foreign corn amounted to 71,000 quarters; in the former week the duty was 22s. 8d., and in the latter week the duty was 23s. 8d. This quantity had to be set against the 25,000 and the 48,000, introduced in the two weeks under the operation of the right hon. Baronet's diminished duty. This larger quantity having been brought in, be it remembered at a duty almost double that under which the smaller quantity had been brought in—[An hon. Member: More than double]—yes, more than double, so that the diminution of duty was nothing more nor less than a loss to that extent to the revenue. It was no gain whatever to the people. Because it happened now as it did in the last year, that the great bulk of the foreign corn, by the introduction of which the price would be lowered, still remained in bond. The quantity of corn brought in, in the course of a single week of last year, was 1,852,000 quarters, and there were now in bond 1,500,000 quarters, the greater portion of which might be, and probably would be, under the law of the right hon. Gentleman, kept in bond until the prices rose, and the duty became merely nominal. The vice of the right hon. Baronet's law was that which was constantly pointed out during the discussions upon it, namely, that it offered a continual temptation to hold back corn whilst the price was rising, because the dealer had the double advantage of

a rising market and a diminishing duty. In holding out these temptations to the speculator the right hon. Gentleman interposed an obstacle to the admission of foreign corn, and continually limited the supply of food to the people. But supposing the best anticipations of the right hon. Baronet were to be realised, and a great quantity of corn were to come in next week at a 7s. or 8s. duty, still the country would have suffered—the manufacturing and the agricultural communities would have suffered—by the delay. If they had had the 8s. fixed duty which he had proposed (but which some thought insufficient), corn would not have remained shut up in bond during the last two months, but the quantity now in bond would have been admitted week by week, and month by month, and the people would have obtained a regular supply as it was wanted, while the farmer would not have ran any risk of injury by the corn coming in to lower the market below its proper level at the very time when he was obliged to bring in the produce of the harvest. He could not then agree with the right hon. Baronet that it was owing to the various motions, debates, and speeches made by the opponents of the right hon. Baronet that his measure had not been fully successful. With regard to other articles, the right hon. Gentleman attributed no such effect to the motions and speeches of that side of the House. As to the article of sugar, for instance, the right hon. Gentleman had expressed his satisfaction both with the increase to the revenue arising from the duty, and with the increase in the imports, although upon that article his right hon. Friend, the Member for Taunton (Mr. Labouchere), had brought forward a motion, the success of which would have had the effect of reducing the duty on sugar. The right hon. Gentleman had spoken with great caution as to the probable effects of an immediate admission of foreign corn. He had gone only so far as to say that he could not expect any permanent alleviations of the distresses of the people from such a measure, but that if he could anticipate that a relaxation of the Corn-laws would be attended with any such beneficial effect, he should be the first to listen to such a proposition. But was it not something when they were told such harrowing tales of distress, when the Members for the various manufacturing

districts told them the miserable and wretched condition to which the people of those districts were reduced, and when they knew that no alleviations of this distress and misery had yet taken place, was it not something that a measure which promised even temporary alleviation was suggested to them? The right hon. Gentleman had said, and he agreed with him, that it was most mischievous to deprecate public subscriptions, not that such subscriptions could afford any permanent relief, but that they would afford some alleviation to the sufferings of the people. But if it was desirable to alleviate those sufferings by means of alms and subscription, was it not much more desirable to do so (if it could be so done) by law, and to enable the people to obtain relief, not from charity and alms, but from the exercise of their own industry and the produce of their own hands? But this was not the course of the Government to which the right hon. Gentleman belonged. The right hon. Gentleman said that the Corn-law was not the cause of the present distress, and he had entered into details (through which he should not follow him) to show that the increase of machinery and the progress of manufactures had produced the want of employment and consequent distress which now prevailed; but former Governments, of which the right hon. Gentleman was a Member, had not contented themselves with saying that the Corn-laws were not the cause of the distress of the country, they had thought it their duty to consider whether any alleviation of that distress could not be obtained. He was not able to concur in the motion brought forward by the hon. Member for Aberdeen (Mr. Bannerman) on a former evening, to place it in the power of the Government to reduce the duty on foreign corn as they might see occasion from time to time. If it was done at all it ought to be done by the law; but whether by an act of the Crown or by the law, the effect, as far as the people were concerned, was the same in the one case as the other. They knew what had been the effect of the measure of 1826. Mr. Canning, in proposing that measure, said the intention of the Government was to admit a certain quantity of corn free of duty, and such further quantity as it might be necessary to introduce at a certain fixed duty. Now, what had been the effect of that measure? Mr. Canning had told them that one effect

was an immediate revival of the demand for labour, that cotton in the markets of Manchester and Liverpool, had risen 5 per cent. The advantages of the measure became immediately apparent in the improved condition of manufactures and commerce. It was true that Lord Liverpool had not, on that occasion, admitted that the Corn-laws were the cause of the distress which it was the object of that measure to alleviate, but he had said,

"We have seen the price of corn has been gradually rising for some weeks past, and if it continue to rise, that circumstance must necessarily tend to aggravate the existing evils."

No person could say, that the amount paid by the labourer out of his wages for bread was not to him a most material consideration; therefore Lord Liverpool thought, that any reduction in the price of bread would materially relieve the distress of 1826. That was the course to which Lord Liverpool, Mr. Canning, and the right hon. Gentleman opposite (Sir R. Peel) as a Member of that Government, looked for a temporary alleviation of the distress which existed at that period, and it had been successful. Why then did the right hon. Gentleman not look to that source now? If he refused to consider the whole question of the Corn-laws, could he not have said he would be ready to consider the motion of his noble Friend the Member for Sunderland, to admit foreign corn during the interval between this and the next spring at a moderate fixed duty? If the Government would promise to lend a favourable ear to such a proposition, he should say the House might very well leave the question of the Corn-laws until a future Session of Parliament. But they had heard no such intimation on the part of the Government, nor did it appear that it was their intention to bring forward any measure of alleviation. Last year, they were told by those who now sat on the opposite side of the House, that the then Government were not competent to govern—that their measures would not relieve the country from its difficulties, and by the exertions of the hon. Gentlemen opposite that Government had been replaced by another, in which resided that perfect intelligence and unfailing wisdom which were, he presumed, necessary to deal with the difficulties and relieve the distresses of the country. Well, what said that Government—on what did they depend as afford-

ing, if not permanent relief, some alleviation of those distresses? "We hope," said the right hon. Baronet, "for a good harvest." Now, without pretending to any such shining abilities as those of the right hon. Gentleman opposite, he still thought the late Government might have consulted the barometer and said, "We depend upon a good and an early harvest" for that was all the Government did. His belief was, that if the measure proposed by the late Government last year had been adopted, and corn had been admitted at a moderate fixed duty, the distress of the present time, if it had not wholly disappeared (which he admitted was not probable), would have been very materially alleviated. But let them look at the distress of the country as it existed—and the manner in which it had been borne. It was stated on a former evening, that a good and an honest man employed in manufactures had said, when he was asked did he think the distress which he suffered would soon pass away. "No, not during the present year;" and, afterwards, "I fear I shall not live to see another, for it is impossible I can support this distress any longer." The exemplary patience and forbearance with which the distress was borne were quite admirable. Men suffered their lives to ebb away without evincing either anger, violence, or impatience—and appeared by their acts as though they were still, as they had formerly been amongst the most thriving of the community. If the people were riotous and seditious, he admitted there might be some difficulty on the part of the House in yielding to any request made on their behalf; but when it was admitted by all parties that they had suffered in this spirit of patience and forbearance, and when it was not denied by the First Minister of the Crown that the admission of foreign corn would afford, though not a permanent, yet a temporary alleviation of their distresses, he thought it was the duty of the House to show some sympathy for their fellow-men thus suffering and to adopt a means, affording though it did the prospect only of temporary and momentary relief. He was one of those who considered that a sound change in the Corn-laws would be a permanent benefit to the country. He did not say that he agreed with the hon. Gentleman who had made this motion—that the total repeal of those laws was desirable. To

that proposition he had already given his negative during the present year; and if the first question now—viz., that the House go into committee of supply, should be negatived, he should propose to leave out all the latter words of the motion of the hon. Member for Wolverhampton which touched upon the repeal of the Corn-law. The best motion, under the circumstances, would be, that which the hon. Member himself had made in former years, and which the right hon. Gentleman (Sir R. Peel) had made, on bringing in his Corn-bill this year—viz., that the House should go into a committee of the whole House, to consider the act of the present Session in regard to the importation of foreign corn. As to the general measure which ought to be adopted, he retained the opinion he had before expressed; but, in respect to a temporary measure, to meet the present exigency, he thought the proposal of his noble Friend (Lord Howick) was the best, that could be adopted. But in the existing state of the country, and after the declaration made that night by the right hon. Baronet, at the head of the Government, he thought the House could hardly refuse to go into committee to consider whether some substantial relief could not be given. He quite agreed with the hon. and gallant Commodore (Sir C. Napier) as to the necessity of going into supply with as little delay as possible; but still he thought this was an occasion, after what they had heard of the distresses of the country, in which they might very well postpone for three or four days—till Friday or Monday—these votes of supply, which the right hon. Gentleman required. He remembered, that last year the right hon. Gentleman objected to give him the supplies for more than three months, unless he promised, that Parliament should be called together again, immediately after the general election, and within a period of six weeks. He had thought the objection of the right hon. Gentleman a fair one, and gave him the assurance he asked for; but he could not say that an occasion might not arise, in which it might not be just for the House to interfere with the granting of the supplies proposed by the Government. With respect to the particular votes which the right hon. Gentleman proposed to take, he had no special objection to make to them; but when it was stated that because the vote for cit-

minal prosecutions in Ireland was exhausted, and that the counsel and attorneys there could not receive their payments as usual 'unless the vote were granted, he did not think that that was a sufficient reason for haste in ordinary cases, and when mere ordinary questions were before the House, much less so when the question was the sufferings of so large a portion of the people. The right hon. Gentleman had referred to the injury necessarily done to our commerce by this propounding of the principles of their tariff, and he admitted, that even the most wholesome and politic measures of this nature would necessarily tend for a time to discourage trade and commerce. But there was another matter which he believed had really obstructed the trade of the country, and tended to prevent the revival of its prosperity; that was the extreme contradiction between the principles announced by the Government, and the measures which they had actually proposed. They had stated the largest and broadest principles; but those principles were applied in the most partial and incomplete manner. The right hon. Gentleman had told them, that he had not applied those great principles to the most important articles of subsistence—that to corn, which he admitted was more important than any other article as forming the chief food of the people, the right hon. Baronet had not applied those principles which, as to commerce in general, he had declared to be the true ones; and the consequence was somewhat singular, though, perhaps, not unnatural. When the right hon. Gentleman's measures were first proposed, both sides of the House were pleased. The one party, agreeing to the principles of those measures to their full extent, rejoiced to see them recognised by the Minister of the Crown, and the other saw no danger to themselves or their interests—an exception being made to the article of corn. But after a time, and after some reflection, the other side of the question presented itself. The one party—those who were for protection—said, "great principles have been propounded, and by a high authority, which will doubtless be applied at a future time to the Corn-laws: and how can we give our confidence to a Government that recognises and announces, as the basis of their policy, those principles of free-trade;" while the other party said, "We are glad

to see these sound principles applied to the minor articles, but we want to see them extended to the more important; we are glad to hear the Government declare the truth of those principles; but the people are not to be satisfied with declarations alone." So that although both parties were satisfied with the first promulgation of the measures, both in the end were disappointed with the results, because they were contradictory to, and inconsistent with the first professions made. The Government first declared certain principles as applicable to all commercial legislation, and then shrank from applying them to two great articles of consumption. The objection made by the right hon. Baronet at the head of affairs, to the late Government was, that they were unable to carry their measures, and such was the ground stated to justify a vote of want of confidence. But he wished to know where was the great difference between a Ministry that proposed measures which they were unable to carry, and a Ministry that did not propose measures which they confessed were in accordance with their principles, because they did not expect to be able to carry them? That, in fact, was the sum and substance of the right hon. Baronet's statements in the repeated speeches which he had made on this subject—namely, that he proposed measures which were not in accordance with the principles laid down by the right hon. Baronet—not in themselves excellent—but measures which he could carry with the largest consent of the House and the country. Those, if he had not misapprehended were the words of the right hon. Baronet. The right hon. Baronet had to-night done justice to another measure of the late Government, namely, the negotiation with Portugal entered into by his noble Friend near him. He was happy to find, with regard to many measures of the late Government, that the right hon. Baronet had found no difficulty in following in the same course himself. One instance occurred to him on the moment, and that was with respect to the order of their measures. In 1840, he was very much urged to propose a measure or to assist the noble Lord opposite in proposing a measure with regard to Irish registration, to which application his answer was, that he wished to give the Poor-law the preference, agreeing very much in opinion with his hon. Friend



the Member for Halifax, that English registration ought to precede Irish registration. But he sustained repeated attacks from the noble Lord the Secretary for the Colonies, and was chid by that noble Lord in his sharpest manner, for not attending to the crying evils of Irish fraud and Irish perjury. The right hon. Baronet the First Lord of the Treasury himself declared that he would not consent to a postponement of the Irish measure for the sake of the Poor-law. Now, however, he observed with great satisfaction that precedence was given to the Poor-law, and whenever a question was asked about registration the right hon. Baronet answered, most wisely and most truly in his opinion—indeed, almost as well as the hon. Member for Halifax himself could have answered—English registration ought to precede Irish registration. He remembered a parody made by a right hon. Gentleman not at present possessing a seat in that House (Mr. Herries), in reference to a measure introduced by a right hon. Friend near him, on a remark of a French critic, who, on reviewing a certain book, said that it contained some things good and some things new, but that the things which were new were not good, and the things which were good were not new. That observation he would venture to apply to the measures produced in the course of the present Session by her Majesty's Government. There were measures introduced when his party were in power, which he could not now count on his fingers, nearly the same as those introduced by the present Government. There was the Poor-law, the Colonial Customs Bill, the Colonial Passengers Bill, the South Australian Bill, the New South Wales Bill, the Justices' Jurisdiction Bill, the principles of the tariff, too, as his hon. Friend near him had truly observed, were laid down by him in the course of last Session. The article of cattle would have been introduced at the same time as the Corn-law, had it not been for a friendly discussion which took place between him and his right hon. Friend near him, the result of which was a determination that this article should be reserved for the tariff. He thought the view taken by his right hon. Friend was just, and it was postponed to the time when the right hon. Baronet and his friends prevented him from having the power of bringing forward anything, but he still had the satisfaction of seeing the

same principles embodied in the tariff of the present Government. That was one of those measures which were good, but not new. The Poor-law was another. That too was good, but not new; and there were many others of the same kind. Then came the Income-tax. Now that was new but not good. The same thing might be said of the right hon. Baronet's Corn-law. Such, then, since the right hon. Baronet had thought fit, in the course of his speech, to refer to the various measures introduced by him in the present year, was the view which he took of those measures; and he could not help observing that although perhaps during the last week or ten days rather long discussions might have taken place, still, in the beginning of the Session, and during a considerable part of it, a greater number of days had been devoted to Government business than he ever remembered to have been the case since the passing of the Reform Bill. There had been motion days, in which hon. Gentlemen had abstained from bringing on their motions: there had been Wednesdays, instead of being set apart for the bills of individual Members, devoted to Government business. He trusted they would admit, with respect to their foreign and colonial policy, and that much-agitated question, which would be brought forward on some future day, the Government of Ireland, no interference had been offered by the Opposition to the Government. He thought it due to himself to state this, because he should be most unwilling to obstruct the progress of Government measures, by which the service of the country might be in any degree injured. Their three great measures, the Corn-law, the Income-tax, and tariff, had passed and had become laws. The present was the occasion, perhaps one of the last occasions, on which the House would be called upon to express an opinion as to whether the present state of the country demanded any alteration of the Corn-laws, or whether they would consent to see Parliament prorogued without making any such attempt; on which question he felt bound to say that, seeing the distress of the country, and believing that a measure with respect to the Corn-laws would tend greatly to alleviate that distress, that if a temporary measure it would give temporary relief, and if a permanent one be productive of permanent good to the trade and commerce of the country in all future

years—he should certainly give his vote against going into committee of Supply with a view of moving that the House resolve itself into a committee of the House for the purpose of taking into consideration the Corn-laws.

Mr. *Cobden* would not have intruded himself that evening upon the attention of the House, but for the somewhat lengthened allusion which the right hon. Baronet at the head of her Majesty's Government had made to his remarks upon a former evening. He thought the quotations made from the report of the commissioners sent to Stockport quite bore him out in his argument; for what did they go to prove? Why that out of a destitute population of many thousands 100 had been shown to have been thrown out of employment by improvements in machinery. But there were twenty-nine mills standing idle, which could not have been caused by improvements in machinery. He had never contended that individual cases of suffering had not been occasioned by inventions in machinery. All that he contended was, that great masses of people were not suddenly thrown out of work. He challenged the right hon. Baronet to adduce one instance where, in prosperous times, great bodies of workpeople had been thrown out of work by improvements in machinery, so as to cause wide-spread suffering, leading to an appeal to the sympathy of that House or the public. He still contended that it was unworthy of the occasion for a Prime Minister to bring forward the case of machinery, whilst the distress in all parts of the empire was equally great. The comprehensive mode of viewing the subject was to go back to the period of so-called prosperity, and ask themselves how they could restore the state of trade in 1833, 4, 5, and 6. Now it would be found that the activity of that period was caused by great increase in joint-stock banks, and the inflation of the credit system in the United States, coupled with four successive good harvests. The prosperity of those years was factitious, and not real. How then would they find employment now for the people? The joint-stock banks could not be revived; the credit of America was prostrate. It had been stated, very justly, by the hon. Member for Inverness (Mr. Morrison), that in ten years ending in 1838, upwards of 30,000,000*l.* sterling had been lent to the Americans. Our exports then greatly

exceeded the imports, and this would explain the circumstance which had proved so mysterious to the noble Lord the Member for North Lancashire, that now we were importing two millions a year more than we exported to that country. The Americans were, in fact, paying us their debt and the interest of the money they had borrowed. We took from them all the cotton, rice, and tobacco we required; but the prices were low, and we could only export the balance after deducting the interest; and the only way in which we could increase our trade in that quarter was by receiving equivalents in corn and provisions, as had been shown by the hon. Member for Inverness. He knew that certain gentlemen from London had gone to America, to try to re-construct their credit system. The scheme was to induce the federal government to consolidate the States' stock into a national debt. But they knew little of the unwieldy and unmanageable democracy they had to deal with. If they went to Washington they would find it exceedingly difficult to pull the wires by ear-wiggling the men in office there. Happy would it be for England, if it were as difficult for a few jobbers in the city of London to direct the counsels of this nation as the deputation to America would find it to alter the legislation of that country. Nothing but opening our ports to their corn would give us an increased trade with America. The right hon. Baronet had spoken of the efforts made by the Government to form commercial treaties with other countries. The right hon. Baronet had spoken of Portugal. He believed that we already took three-fourths of all the wine exported from Portugal. He did not think the Ministers could produce any great increase of trade by a commercial treaty with that country, unless it lead to greater imports, and he did not think the people here would consume more wine under a new treaty. Then the right hon. Baronet had spoken of Spain. Now he believed that it would be found that Spain took from us manufactures smuggled through Gibraltar, Portugal, and Genoa, equal to the amount of fruits or wines which we took from her; and he did not look for any sensible increase of our trade with Spain unless we took her corn. The truth was, we could not increase our foreign trade unless we agreed to receive those articles which the bulk of our people consumed. We must

not be diverted from the real obstacle to our trade which was to be found in our own statute book. We sent out ambassadors and envoys to obtain an outlet for exports, forgetting that our imports were the true measure of our foreign commerce. The Corn-law was, after all, the real impediment to our foreign trade. And what were the objections to its repeal? He had heard it said, that if hon. Gentlemen could only be convinced that it would benefit the people, they would consent to the measure. But how were they to be convinced? They would not argue the question. The authorities were certainly in favour of repeal. They had on their side Adam Smith, Franklin, Burke, Bentham, and Ricardo, whilst their opponents had no great political economists on their side, excepting those of the school of Macclesfield. They were told, to be sure, that the land would go out of cultivation; but that was a mere prophecy, begging the question. They had the best agriculturists on their side, who predicted the contrary. There was Lord Spencer, the late Lord Leicester, and the hon. Member for Rochdale (Mr. Crawford) who had no such fears. The Scotch farmers too laughed at the idea of land going out of cultivation. They consider the land of England could be made to produce half as much more wheat, and pay better rents with lower prices. What said the noble Lord the Member for North Lancashire, at the late great agricultural meeting at Liverpool.

"If any one were to predict," said he, "the improvements which I believe will be made in agriculture in the next century, he would be treated as a dreaming enthusiast."

He was told that they could not compete with foreigners, but who would venture to say what improvements would take place even in five years? The ancestors of the present agriculturists had competed with foreigners by sending their corn abroad for sale eighty years ago, and why could they not now compete with the Poles or Americans, who had to bring their produce three or four thousand miles? The manufacturers competed successfully, and why should not the farmers? They were told of the taxes and debts, but did not the manufacturers pay their proportions of the debt and taxes? True they were told of the exclusive burdens of the land, but when the landlords were challenged to the proof

they fled from the field. But let them look at the dangers of the present system. He was not one who had ever relied upon the argument that land would fall in value if the Corn-laws were repealed. Nothing but injuring trade could lessen the value of land. But he was quite sure, if they pursued their present system for a few years, they would find no customers for their land. What would they do with their surplus labourers? Hitherto they had found employment in the towns. There had been a constant stream flowing from the rural to the manufacturing districts, but let that tide of emigration once turn back and they would have a desolating flood of pauperism which must overwhelm them. Let them recollect that the poor in this country had the first title to their estates, and they must either let them be supported as customers in towns, or as paupers at home. He had listened to the facts stated by the hon. Member for Oldham (Mr. Fielding) showing that the weaver now received only 3s. 6d. for the same labour which brought him 27s. in 1815, and he was surprised that the Prime Minister had not understood the connection between that fact and the Corn-law. Why it must be remembered that the Corn-law fixed the price by act of Parliament at which those weavers purchased their bread, but the Parliament had forgotten to fix a price for their wages. He was speaking in the presence of hon. Members opposite who professed to be governed by benevolent motives, and who had directed their philanthropic efforts, especially to the advancement of the interests of the manufacturing operatives. He would appeal to the sympathies of the noble Lord the Member for Dorsetshire. He would confess very frankly, that before he entered that House he had entertained doubts, in common with many of the employers in the north, whether those advocates of the short-hours bill who supported the Corn-law were really sincere; but since he had had the opportunity of a closer observation of the noble Lord, he was perfectly convinced of his genuine philanthropy. He would ask the noble Lord solemnly to consider whether it were possible to benefit the condition of the factory operatives, whilst the demand for their labour was curtailed, and the price of their goods enhanced by law? The only question which every just and humane man, who supported the Corn-

law should ask himself was, could he give an artificial value to wages? If not, he might be sure that to give a legislative value to food was a direct robbery. Let the aristocracy reflect upon the disadvantageous ground on which they were fighting the inevitable battle with the democracy—on a question of bread; with the sympathies of the whole civilized world against them, what had they to gain if successful? He believed they were fighting for a chimera. But had they not much to lose? Was ever an aristocracy so endowed? They had the colonies, the army, the navy, the church; and yet they condescended to contend for a slice from the poor man's loaf. Depend on it they were risking everything, even to their titles and rank, in this most disadvantageous conflict. Was it not deplorable to think that they should be about to refuse the repeal of the Corn-law at this most critical moment, even although their very countenances told him that they felt it was condemned? Let them never expect to find another Prime Minister who would take office to uphold such a monopoly. They had killed Canning by thwarting him, and they would visit the same fate upon their present leader if he persevered in the vain attempt to govern for the aristocracy whilst professing to govern for the people. [*Loud groans from some hon. Members.*] Yes; they had killed Canning by forcing him to try and reconcile their interests with those of the people, and no human power would enable the right hon. Baronet to survive the same ordeal. Something had been said about exciting the people. He had not addressed them in that tone. He had frankly told them that so far as his borough was concerned he did not expect an outbreak of the working class. But he had warned them of a danger which would be far more unmanageable, of the borough becoming a confused mass of pauperism, and the middle class being eaten up by the poor. But let him tell them frankly, that he would not hesitate, in that House or out of it, to put the saddle on the right horse, by telling the suffering operatives that if they were oppressed by bad legislation it was the landowners and not the manufacturers who ruled that House. He did not believe there were 150 men in it who were directly or indirectly engaged in manufactures and trades. They must not be made the scapegoats of their bad legislation.

The majority of that House were landowners, and they held the key of the granaries from which the people were fed, and they had the power to give them employment, and he would tell the people that it was to the injustice of the landlords they must attribute their sufferings, so far as they were attributable to legislation at all. He was not disposed to be made the victim of their injustice. They had directed their instrument against the manufacturing capitalists, and had tried to persuade their operatives that they were suffering from the selfishness of their masters. Their instrument was thought to have had a sharp edge, but it had turned out to be a blunt one, and not of the promised temper; it had proved, too, to be a two-edged weapon, that wounded its own party. He would not hesitate to declare who were the parties that interfered with the labour of the operatives. He would, in fact, show that their distress was attributable more to the noble owner of Knowsley than to him at his printworks, and that the landowners, and not the capitalists, were responsible for their deplorable sufferings.

Mr. *Grimsditch* was understood to say, that there were now in town persons who represented themselves as delegates from Stockport, attending in London for the purpose of procuring a repeal of the Corn-laws. He was unable to say that they were not authorised to appear in any such capacity; and he thought that at all events a repeal of the Corn-laws could now do no good.

Viscount *Howick* would not go into the general question of the Corn-laws; but before he entered upon the short explanation of the vote that he intended to give, he wished to say that he very much objected to this mode of interfering with public business. He thought that the practice of moving amendments to the Order of the Day for going into a committee of supply ought to be reserved for cases of extreme emergency; and he certainly thought that in the present instance the House could not be expected to retrace its steps and undo all that it had previously done. At the same time, he felt that the Session ought not to be brought to a close without some attempt to afford relief to the suffering poor by a mitigation of the Corn-laws; and, looking at all the circumstances, he must say that it was his opinion he should best

consult the interest of the public service; and even the convenience of the right hon. Baronet, if he regarded the present question as one between those who desired a change and those who were opposed to any alteration. On those grounds he should support the motion, but he could not do so without protesting against the manner in which public business had been interrupted by the introduction of such a proposition. He was perfectly persuaded that, in the decision the House was about to come to, this question would suffer from the injudicious mode of bringing it forward. He believed that a measure founded on the principle of the motion of which he had given notice for Thursday, to admit corn at 6s. duty for a limited time, would have greatly mitigated the distress. The reason for such a measure was simple and easily explained. It was admitted in the late debate, as the hon. Member for Inverness in his able speech had stated, that nothing would tend so much to relieve the distress as a measure enabling America to send over her corn in return for our goods. The existing Corn-law, no hon. Gentleman had yet denied, did operate very injuriously on our trade with America. The price of corn in America was seldom very materially below our prices, and therefore the Americans could not send it here at a profit after paying the duty of freight and charges. He thought, too, that such a measure might very well be adopted by the right hon. Baronet and Gentlemen opposite who had argued in opposition to a fixed duty. They had opposed a fixed duty because they thought that corn could be grown on the continent at such a price as to interfere under a fixed duty with the British farmer. But if the duty were imposed only for a certain period from the present time, that objection would not hold good. The right hon. Baronet, when speaking in reference to the motion of the hon. Member for Aberdeen the other night, did not seem particularly averse to some measure of that sort provided he could see the way to effect it. He took the rate of 6s., because it was the right hon. Baronet's calculation that it was at that amount that the great bulk of the stock now in bond would be likely to be taken out. He also believed that it was not unlikely to be so; but he thought that this probability would be much increased if the Government did something which would en-

courage the American corn-growers to send their produce here. The measure he was to have proposed would tend to the advantage of the revenue, and he thought also to the advantage of the agriculturist; because he thought that otherwise a great part of the corn now in bond would be held till the minimum duty came into operation; that was, it would be held just till the moment when bringing it out would be most prejudicial to the British farmer, because his new crop would just then be coming into the market. He earnestly hoped that the Government would seriously consider, whether some such measure as he had suggested might not be adopted by Parliament before the prorogation; but he agreed with the right hon. Baronet that there would be no use in having any more of these debates, which led to no practical result. He therefore should not bring forward his motion, which he knew the right hon. Baronet would oppose; but he must say, that he thought the Government ought to make some such concession to the wants and wishes of the people. To refuse it would be in the highest degree ungracious when they had it in their power to acquiesce, and when they had nothing else to propose. With respect to the prospects of a good harvest; of which the House had been told; he hoped they might be realized, but from what he heard from various quarters he thought that the crop could not possibly exceed an average one, and in many parts of the country would be far below it. From other parts, however, he had accounts of better prospects, but a few days might make a change in all that; and if Parliament separated without taking decisive measures, what would be the distress of the country, and what the responsibility of the Government? Having said thus much, he should not again revert to this subject during the present Session. He should vote with the hon. Member, and in leaving the question he must say that the Government, when they refused any relaxation of the Corn-law, must take the responsibility to themselves.

Sir J. Hanmer, being connected with a commercial district, begged to say that his opinion of the present Corn-law was that expressed by the noble Lord the Member for Tiverton the other night—that it ought to be replaced by a moderate fixed duty for the purpose of revenue, and no more. Consequently he should feel it

his duty to vote for the motion of the hon. Member. He did this merely as a general indication of his opinion, and without pledging himself to any particular course. He felt it to be a duty he owed to the country, placed as it was in so precarious a situation, not to suffer any of those reasons which usually weighed with a Member of that House on other occasions, to interfere with his vote on this occasion, and he should do honestly what he felt to be his duty.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 231; Noes 117: Majority 114.

#### List of the AYES.

Acland, T. D.  
A'Court, Capt.  
Alford, Visct.  
Allix, J. P.  
Antrobus, E.  
Arbuthnott, hon. H.  
Arkwright, G.  
Bagot, hon. W.  
Bailey, J.  
Bailey, J., jun.  
Baillie, Col.  
Baillie, H. J.  
Baillie, J. M.  
Bankes, G.  
Baring, hon. W. B.  
Barrington, Visct.  
Bateson, R.  
Beckett, W.  
Beresford, Major  
Blackburne, J. I.  
Blackstone, W. S.  
Blakemore, R.  
Bodkin, W. H.  
Boldero, H. G.  
Borthwick, P.  
Botfield, B.  
Bradshaw, J.  
Bramston, T. W.  
Broadwood, H.  
Brownrigg, J. S.  
Bruce, Lord E.  
Buckley, E.  
Buller, Sir J. Y.  
Burrell, Sir C. M.  
Burroughes, H. N.  
Campbell, A.  
Cardwell, E.  
Chelsea, Visct.  
Chetwode, Sir J.  
Cholmondeley, hn. H.  
Christopher, R. A.  
Chute, W. L. W.  
Clayton, R. R.  
Clerk, Sir G.  
Clive, hon. R. H.  
Cochrane, A.  
Cockburn, rt. hn. Sir G.  
Codrington, C. W.  
Collett, W. R.  
Colville, C. R.  
Corry, rt. hon. H.  
Courtenay, Lord  
Cresswell, B.  
Cripps, W.  
Damer, hon. Col.  
Darby, G.  
Dawney, hon. W. H.  
Denison, E. B.  
D'Israeli, B.  
Dodd, G.  
Douglas, Sir H.  
Douglas, Sir C. E.  
Douglas, J. D. S.  
Dugdale, W. S.  
Duncombe, hon. A.  
East, J. B.  
Eastnor, Visct.  
Eaton, R. J.  
Egerton, W. T.  
Eliot, Lord  
Escott, B.  
Estcourt, T. G. B.  
Farnham, E. B.  
Fellowes, E.  
Feilden, W.  
Ferrand, W. B.  
Fitzroy, Capt.  
Fitzroy, hon. H.  
Fleming, J. W.  
Flower, Sir J.  
Follett, Sir W. W.  
Ffolliott, J.  
Forbes, W.  
Forester, hon. G. C. W.  
Fuller, A. E.  
Gaskell, J. Milnes  
Gladstone, rt. hn. W. E.  
Glynne, Sir S. R.  
Gordon, hon. Capt.  
Gore, M.  
Gore, W. O.  
Goring, C.

Goulburn, rt. hon. H.  
Graham, rt. hn. Sir J.  
Granby, Marq. of  
Grant, Sir A. C.  
Greenall, P.  
Greenaway, C.  
Greene, T.  
Gregory, W. H.  
Grimsditch, T.  
Grimston, Visct.  
Grogan, E.  
Hale, R. B.  
Halford, H.  
Hamilton, W. J.  
Hamilton, Lord C.  
Hampden, R.  
Harcourt, G. G.  
Hardinge, rt. hn. Sir H.  
Hardy, J.  
Heathcote, G. J.  
Heathcote, Sir W.  
Heneage, E.  
Henley, J. W.  
Henniker, Lord  
Herbert, hon. S.  
Hervey, Lord A.  
Hinde, J. H.  
Hodgson, F.  
Hodgson, R.  
Hogg, J. W.  
Houldsworth, T.  
Holmes, hon. W. A'Court.  
Hope, hon. C.  
Hornby, J.  
Howard, hon. H.  
Hughes, W. B.  
Hussey, T.  
Jackson, J. D.  
Jermyn, Earl  
Jocelyn, Visct.  
Johnstone, Sir J.  
Jones, Capt.  
Kemble, H.  
Knatchbull, rt. hn. Sir E.  
Knight, H. G.  
Lawson, A.  
Lefroy, A.  
Legh, G. C.  
Leicester, Earl of  
Lemon, Sir C.  
Lennox, Lord A.  
Liddell, hon. H. T.  
Lincoln, Earl of  
Litton, E.  
Lockhart, W.  
Lowther, J. H.  
Lowther, hon. Col.  
Lyall, G.  
Lygon, hon. Gen.  
Mackenzie, T.  
Mackenzie, W. F.  
Mackinnon, W. A.  
Macnamara, Major  
Mahon, Visct.  
Mainwaring, T.  
Manners, Lord C. S.  
March, Earl of  
Marshall, Visct.  
Martin, T. B.  
Masterman, J.  
Meynell, Capt.  
Mordaunt, Sir J.  
Morgan, O.  
Morgan, C.  
Mundy, E. M.  
Neeld, J.  
Neville, R.  
Newport, Visct.  
Nicholl, right hon. J.  
Norreys, Lord  
Northland, Visct.  
O'Brien, A. B.  
Ossulston, Lord  
Owen, Sir J.  
Packer, C. W.  
Pakington, J. S.  
Palmer, R.  
Palmer, G.  
Patten, J. W.  
Peel, rt. hon. Sir R.  
Peel, J.  
Pigot, Sir R.  
Praed, W. T.  
Pringle, A.  
Pusey, P.  
Rashleigh, W.  
Repton, G. W. J.  
Richards, R.  
Rose, rt. hon. Sir G.  
Rous, hon. Capt.  
Rushbrooke, Col.  
Russell, C.  
Ryder, hon. G. D.  
Sanderson, R.  
Sandon, Visct.  
Scott, hon. F.  
Seymour, Sir H. B.  
Sheppard, T.  
Sibthorp, Col.  
Smith, A.  
Smyth, Sir H.  
Somerset, Lord G.  
Stanley, Lord  
Stewart, J.  
Stuart, H.  
Sturt, H. C.  
Sutton, hon. H. M.  
Talbot, C. R. M.  
Taylor, J. A.  
Thompson, Ald.  
Trench, Sir F. W.  
Trevor, hon. G. R.  
Trollope, Sir J.  
Trotter, J.  
Turnor, C.  
Vere, Sir C. B.  
Verner, Col.  
Vernon, G. H.  
Vesey, hon. T.  
Vivian, J. E.  
Waddington, H. S.  
Walsh, Sir J. B.  
Willbraham, hon. R. B.  
Williams, T. F.

Wodehouse, E.  
Wood, Col. T.  
Worsley, Lord  
Yorke, hon. E. T.

Young, J.  
TELLERS.  
Fremantle, Sir T.  
Baring, H.

*List of the Nozs.*

Aglionby, H. A. Johnson, Gen.  
Ainsworth, P. Labouchere, rt. hn. H.  
Aldam, W. Langton, W. G.  
Bannerman, A. Lascelles, hon. W. S.  
Barnard, E. G. Layard, Capt.  
Berkeley, hon. C. Leader, J. T.  
Berkeley, hon. Capt. Macaulay, rt. hn. T. B.  
Bernal, R. Mangles, R. D.  
Bernal, Capt. Martin, J.  
Bowering, Dr. Mitchell, T. A.  
Brocklehurst, J. Morison, Gen.  
Brotherton, J. Napier, Sir C.  
Brown, hon. W. Norreys, Sir D. J.  
Buller, C. O'Connell, D.  
Buller, E. O'Connell, M. J.  
Busfeld, W. O'Connell, J.  
Byng, rt. hon. G. S. Oswald, J.  
Callaghan, D. Paget, Col.  
Carew, hon. R. S. Palmerston, Visct.  
Cavendish, hon. C. C. Parker, J.  
Cavendish, hn. G. H. Pechell, Capt.  
Childers, J. W. Philips, M.  
Clive, E. B. Plumridge, Capt.  
Cobden, R. Protheroe, E.  
Colebrooke, Sir T. E. Ramsbottom, J.  
Collins, W. Rice, E. R.  
Corbally, M. E. Ricardo, J. L.  
Crawford, W. S. Roche, E. B.  
Dennistoun, J. Russell, Lord J.  
Duncan, G. Russell, Lord E.  
Duncombe, T. Scholefield, J.  
Dundas, Adm. Seale, Sir J. H.  
Dundas, hon. J. C. Seymour, Lord  
Easthope, Sir J. Sheil, rt. hon. R. L.  
Ebrington, Visct. Smith, B.  
Ellis, W. Smith, J. A.  
Elphinstone, H. Smith, rt. hon. R. V.  
Evans, W. Somerville, Sir W. M.  
Ewart, W. Standish, C.  
Ferguson, Col. Stansfield, W. R. C.  
Fitzroy, Lord C. Stuart, Lord J.  
Fox, C. R. Strutt, E.  
Gill, T. Tancred, H. W.  
Gordon, Lord F. Thorneley, T.  
Gore, hon. R. Towneley, J.  
Grey, rt. hon. Sir G. Troubridge, Sir E. T.  
Guest, Sir J. Tufnell, H.  
Hall, Sir B. Walker, R.  
Hanmer, Sir J. Wallace, R.  
Hastie, A. Ward, H. G.  
Hawes, B. Wawn, J. T.  
Heathcoat, J. Williams, W.  
Hill, Lord M. Wood, B.  
Hindley, C. Wood, C.  
Hobhouse, rt. hn. Sir J. Wood, G. W.  
Holland, R. Wrightson, W. B.  
Howard, hon. J. K. Yorke, H. R.  
Howick, Visct. TELLERS.  
Hume, J. Villiers, hon. C. P.  
Hutt, W. Fielden, J.

SUPPLY.] On the question that the Speaker do now leave the Chair,

Mr. Hume rose and said: At this very late hour he wished to know what course the right hon. Baronet meant to take with regard to the votes of supply.

Sir R. Peel: The course I mean to pursue, if we resolve ourselves into a committee of supply, is this: notwithstanding the lateness of the hour, I shall feel it my duty to vote the supply for the exigencies of the war in China, and then I propose to go on with the other votes. At the same time, if in respect to any particular vote, like the Syrian vote for instance, there is a general desire that it should be discussed, as has been intimated to me, or if it should be felt inconvenient to take the discussion upon it at this hour, in the same spirit that, I trust, I have pursued the conduct of the public business hitherto, I shall wave that discussion until a more favourable opportunity, and go on with some other vote.

Mr. T. Duncombe gave notice of his intention, when the House resolved itself into a committee of supply, to move that all the remaining estimates, except those for Syria, Canada, and China, be taken for three months instead of for six months.

Lord J. Russell said, the intimation given by the right hon. Baronet was of a course that was perfectly convenient for the House and for the country. He could not conceive that any objection could be fairly brought against it. The right hon. Baronet had candidly professed his readiness to postpone any vote upon which there might be a wish to have a discussion, and therefore he trusted that no unnecessary delay would be thrown in the way of the other business.

House in committee.

Sir G. Clerk moved that a sum not exceeding 806,566*l.* be granted to her Majesty for the expenses of the expedition to China.

Mr. S. Crawford wished to ask to what purposes this money was to be applied, as he objected to the carrying on of the Chinese war.

The Chancellor of the Exchequer replied, that the hon. Gentleman might learn from the papers upon the Table of the House that a great portion of the money had been due to the East India Company for some time, and the rest was another portion of the expenses which had been incurred in India.

Mr. *Crawford* could not concur in any vote which would go to the continuance of the war with China.

Sir *R. Peel*: I must distinctly state that this country being engaged in war, I shall propose a vote to enable the Government to bring that war to an honourable conclusion. Though it may be consistent for the hon. Gentleman to object to the continuance of the Chinese war, I cannot purchase his acquiescence in this vote by abandonment of that intention.

Lord *Howick* would not oppose any vote, but he thought it proper at present to abstain from giving any opinion upon the policy of the Chinese war.

The vote agreed to.

The next vote proposed was for 108,000*l.* for services in Canada consequent on the late insurrection.

Mr. *Hume* said, that he had heard from Canada, that the grossest misapplication of public money was going on there. He had moved for a return more than three weeks ago which would have furnished some information on this subject, but it had not been produced. Nothing but jobbery of the worst kind was going on, and he thought, therefore, that they ought not to vote away money without some explanation of the manner in which it was expended.

The *Chancellor of the Exchequer* replied, that he had told the hon. Member, when he moved for the paper, that it would be difficult to compile, seeing that it required the number of men stationed at different parts of the province to be mentioned, and other particulars which it was impossible at once to supply.

Mr. *Hume* said, there had been no account rendered of the way in which the last grant had been spent. It was important that the House should know how the money was laid out, what number of men received pay, and what their clothing cost. Until some account of that kind was forthcoming, he hoped the vote would be postponed.

Sir *G. Clerk* remarked, that if the hon. Member wished to have a similar return to those which had been presented to the House formerly, he could have one up to a very late period.

Mr. *C. Buller* thought, it would be rather more satisfactory if the Government would tell what the vote was for. He did not mean to object to a vote of money to Canada, because it

might be of use; but he thought it would be objectionable to vote away money without knowing the precise purpose to which it was to be applied. It was a dangerous precedent to come down to the House with colonial estimates, and call upon the House to agree to grant several thousands of pounds to pay for an article which the government of Canada ought to pay for. There never was any force in the world in which there was more jobbing than in the militia and volunteer regiments of Canada. There might be a necessity for keeping up such forces; but the Government ought to tell the House what kind of forces they were, their numbers, their pay, their expenses, their constitution and regulations, and what proportion of their charges the Canadians themselves defrayed? When he left Canada [*Cheer*—when he saw the quarter whence that cheer came, he was not surprised. His opinion was, from what he knew of the people of Canada, that if the matter were left to them, they would keep up their volunteer force in a very efficient manner which no grant of money could promote.

Lord *Stanley* said, the hon. Gentleman seemed to assume that for a fact, of which there was no proof. He did not believe that there was any ground for the charge of jobbing. He believed that the military force had been exceedingly serviceable during the Canadian rebellion. It was also the opinion of high military authorities in Canada, that it would not be prudent, at the present season of the year, to reduce the strength of that force. The vote now proposed was similar to that which the late Government considered necessary. It had the concurrence of the chief military authorities in Canada.

Mr. *C. Buller* could not see on what ground the noble Lord charged him with ignorance. He, in his observations on the jobbing practised in Canada, referred to the particular period when he was in that country. He again asserted, that there was in Upper Canada gross jobbing and expenditure of public money during the period of the first insurrection. He had stated nothing to the House which could not be fully supported and borne out by facts. Why, within the space of eight miles in Canada there were (during the period he was in that country) no less than seventeen military colonels; and in one regiment there were fifty officers be-



logging to one family. [*Laughter.*] He meant they were of one family connexion.

Mr. *Hume* thought that no satisfactory explanation had been given.

Vote agreed to.

Mr. *Williams* moved that the Chairman report progress, and ask leave to sit again.

Sir *R. Peel* said, that if the House consented to allow the resolutions to be reported, the committee of supply could not be proceeded with that evening.

Mr. *Williams* would first move that the resolutions be reported.

The committee divided on the motion that the resolutions be reported:—Ayes 21; Noes 200:—Majority 179.

*List of the Ayes on the First Division in Committee.*

Aglionby, H. A.	O'Connell, D.
Bowring, Dr.	O'Connell, M. J.
Brotherton, J.	O'Connell, J.
Clements, Visct.	Pechell, Capt.
Collins, W.	Scholefield, J.
Crawford, W. S.	Tancred, H. W.
Duncombe, T.	Troubridge, Sir E. T.
Elphinstone, H.	Wallace, R.
Ewart, W.	Wood, B.
Fielden, J.	TELLERS.
Johnson, Gen.	Williams, W.
Leader, J. T.	Hume, J.

[We give only the Ayes in the first division in committee. The Ayes on the two other divisions consisted of the same Members—omitting Mr. Leader and Mr. Tancred, on the second, and in addition to those two Gentlemen, Mr. Brotherton and Capt. Pechell in the third.]

Sir *G. Clerk* moving that a sum not exceeding 10,000*l.* be voted for works and repairs in the harbour of Kingston,

Mr. *Hume* at that hour of the night could not accede to any vote of the public money. He moved that the Chairman report progress, and ask leave to sit again.

The committee divided:—Ayes 19; Noes 185: Majority 166.

Question again put.

Dr. *Bowring* moved that the Chairman do now leave the Chair.

The committee again divided:—Ayes 17; Noes 178: Majority 161.

Question again put.

Mr. *Hume* moving that the Chairman do report progress and ask leave to sit again,—

Mr. *Hawes* exceedingly regretted the course the hon. Member thought it right to take. He thought there could be no

difficulty in taking those votes to which there was no objection.

Mr. *Sheil* said, these objections of the hon. Member for Montrose had the effect of delaying the Session; and this was a great annoyance to Members who had not their residence in London.

Sir *R. Peel* denied that he was allowed the opportunity of bringing forward the question of the supplies at half-past four, as a debate which, although it was important, had nothing to do with these matters, had to night occupied the attention of the House until half-past twelve and until this time there was not an opportunity of bringing forward the miscellaneous estimates. He had stated that the public service experienced great inconvenience; and he had voluntarily offered to withdraw the vote for Syria, or any other against which there was any objection. But after taking two votes, the hon. Gentleman moved adjournments to prevent further progress being made. He must protest against such a course. He thought it was too much to ask hon. Gentlemen to devote two or three hours on motions of adjournment; and if such a course were to be persisted in, it would be impossible for the public business to be properly conducted, or for human strength to go through with it. It was not his wish to use harsh expressions, but he must protest against such a course. He wished to know if the hon. Gentleman's objection to proceed was on account of the lateness of the hour, or for the purpose of obstructing the supplies? If it were for the purpose of obstructing the supplies, the sooner that question was fought the better. He stated that distinctly, not in the way of menace, but for protecting the proper execution of the public business, and for protecting the constitution of this country. There was no consideration which should induce him to propose any measure merely for the sake of obstructing the supplies. If the hon. Gentleman's objection was against the lateness of the hour, and if he understood that on Wednesday next at an early hour they were to go on to consider the miscellaneous votes, he would not object to an adjournment.

Vote agreed to.

House resumed. Committee to sit again.

NAVAL OFFICERS.] On the Order of the Day read for resuming the adjourned debate on Mr. *Hume's* motion for certain

returns relative to the Officers of the Navy,  
Question again proposed.

The House divided : Ayes 13 ; Noes  
60 :—Majority 47.

*List of the AYES.*

Aglionby, H. A.	Pechell, Capt.
Brotherton, J.	Wallace, R.
Crawford, W. S.	Wawn, J. T.
Duncombe, T.	Williams, W.
Hawes, B.	Wood, B.
Hinde, J. H.	TELLERS.
Johnson, Gen.	Hume, J.
O'Connell, J.	O'Connell, M. J.

*List of the NOES.*

Allix, J. P.	Cockburne, rt. hn. Sir G.
Bagot, hon. W.	Colville, C. R.
Barrington, Visct.	Corry, rt. hon. H.
Boldero, H. G.	Cripps, W.
Borthwick, P.	Denison, E. B.
Broadwood, H.	Douglas, Sir C. E.
Buller, Sir J. Y.	Eliot, Lord
Clerk, Sir G.	Ferguson, Sir R. A.

Fitzroy, Capt.	Mackinnon, W. A.
Forbes, W.	Morgan, O.
Gaskell, J. Milnes,	Neville, R.
Gladstone, rt. hn. W. E.	Nicholl, rt. hon. J.
Goulburn, rt. hn. H.	Northland, Visct.
Graham, rt. hn. Sir J.	Päcke, C. W.
Greene, T.	Peel, rt. hon. Sir R.
Grimston, Visct.	Peel, J.
Hale, R. B.	Rushbrooke, Col.
Hamilton, W. J.	Scott, hon. F.
Hardinge, rt. hn. Sir H.	Sibthorp, Col.
Henley, J. W.	Stanley, Lord
Herbert, hon. S.	Stuart, H.
Hodgson, R.	Sutton, hon. H. M.
Hughes, W. B.	Trotter, J.
Jermyn, Earl	Verner, Col.
Jones, Capt.	Yeay, hon. T.
Knatchbull, rt. hn. Sir E.	Waddington, H. S.
Lefroy, A.	Wilbraham, hn. R. B.
Lagh, G. C.	Yorke, hon. E. T.
Lincoln, Earl of	
Litton, E.	TELLERS.
Lockhart, W.	Fremantle, Sir T.
Mackenzie, W. F.	Pripple, A.

House adjourned at three o'clock.

## APPENDIX.

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SPEECH OF HENRY G. WARD, Esq. ON THE BALLOT, JUNE 21, 1842.

(*Speech, p. 348.*)

THE BALLOT.] Mr. Ward then rose to bring forward his motion relative to the Ballot. He said he did so with a sincere sense both of the difficulty and of the importance of the task of submitting the question of the Ballot for the first time to the consideration of the present House of Commons. When he talked of the difficulty of that task, he did not mean merely the difficulty which he most unaffectedly felt, and which all men of inferior powers must feel, in attempting to engage the attention of that House on a question involving so much both of principle and detail, but the additional difficulty of weaning his own mind from the recollections of the admirable ability, the aptitude of illustration, the closeness of reasoning, the high mental and logical power which had been brought to bear upon this question by his hon. Friend the late Member for the city of London, (Mr. Grote)—a gentleman whom those who knew him must admit to have been an ornament to that House, however much they might differ from him in political opinion, and who had devoted to this question, during the three first Parliaments elected under the Reform Bill, the best efforts of his highly cultivated mind. But while there was nothing that he so much feared and deprecated as any comparison between the manner in which this question was brought forward by Mr. Grote and by himself, he felt encouraged to follow in the path of his hon. Friend by the recollection that time had brought many of his opinions, as to the consequences of continuing the system of open voting, to the test. What had been disputed ten years ago, could not now be denied. Instead of reasoning on abstract principles, and asking the House to provide a remedy for evils in the existence of which many persons at that time honestly disbelieved, he could now appeal to the acts of the House itself; to the reports of its own committees; to the records of its own proceedings; to the painful and humiliating discussions which had taken up so much of their time, to show that the tendency of the open system of voting had been progressing from bad to worse, that its effects were most demoralizing and most discreditable to this country in the eyes of the world, and that an immediate remedy was indispensable, unless they meant to forfeit the confidence, alienate the respect, and outrage the moral feeling of the country which they represented. They were called the bribery Parliament, and they deserved the name. Let him profess, with the utmost sincerity, in the first instance, that he did not mean to deal with this question in any way as a party question. He did not look at it as a party question. He looked at it as a question in which both sides of the House were equally interested; and, in bringing it forward, he trusted he was actuated by better motives, and higher hopes, than he should be if he brought it forward merely with party views. He admitted at once, and at the outset of the argument, that corrupt influences in the late party struggles had been just as unscrupulously applied by Liberals as by Conservatives. He regretted being forced to make the admission. He wished his own party had always steered clear of them since the beginning of 1833. That was not the case. Both parties had acted on the same system. But that system was a bad system, and one which no honest man could pretend to justify on sober reflection, although he might have been tainted with it himself. It was a system which no

well-wisher of his country would defend. He saw with great satisfaction that there was at present a disposition manifested on both sides of the House to look seriously to the dangers which such a system must entail upon the country. He had heard bribery denounced by the leaders on both sides in terms which would seal its fate in six months if those terms were sincere. He had a right to question the sincerity of parties, until he saw them follow up the expression of their opinions by practical remedial measures, and he did consider, that the best test of sincerity in denouncing the abuse would be to renounce the power which the abuse originated. If he could show, that by renouncing that power the abuse could be eradicated—that they could destroy that security which was the basis of the corrupt contract between the briber and the bribed—that they could disarm intimidation by taking away from the landlord, the customer, the employer of labour, the petty tyrant of every class, the power of ascertaining whether the promises extorted by his threats had been kept, or not, every man who was sincere in his denunciation of corrupt influences, every man who wished well to his country, would concur in the advantage of ridding his party of the contamination of such allies, by adopting a system which would prevent them more effectually than any punishment, because punishment never could be impartially applied, and even when impartial, brought no certain cure. He thought the present time was particularly favourable for this attempt. There was no great party contest going on; the balance of power in that House was not so nicely distributed that the slightest change in the representative machinery would give a decided preponderance to one party or the other. On the contrary, so far as the ordinary calculation of political chances went, the ascendancy of one party was now secure. With common prudence it might be so. He was bound to say, that the leader of that party had, on every occasion which bore at all on the subject of the present motion, shown a proper sense of the responsibility of his own situation, and an earnest and sincere desire, he (Mr. Ward) believed, to discharge the duties which it imposed on him. He alluded more particularly to those speeches which had been made by the right hon. Baronet opposite on the Nottingham, Southampton, and Belfast writs. In speaking on the Belfast writ, the observations of the right hon.

Baronet expressed so much better than he could do what he believed was the real position of the House with regard to the country, that he might be permitted to recall them to the recollection of the House. The right hon. Baronet said:—

“He now thought, considering the extent to which corruption was alleged to have been carried—considering the general impression that prevailed as to the extensive system of bribery that was said to pervade the country—he did think, and he would now state it as his deliberate opinion, that it would not be for the honour or dignity of the House of Commons to interpose technical objections against full inquiry into such practices. He wished to prevent grounds being laid for great and extensive constitutional changes; but he felt perfectly confident, if that House manifested a disposition not to inquire when cases of corruption were brought under its notice, that the means of resisting constitutional changes would be greatly impaired. If Gentlemen proceeded on a different principle—if one party said, ‘We will protect our friends,’ and another party said, ‘We will protect ours,’ it would not tend to support the character or credit of the House. For his own part, he gave this public notice, that he would not act on that principle. If parties guilty of bribery, or of a corrupt compromise to get rid of an inquiry into alleged bribery, were brought under the notice of the House, he certainly would not in any way interfere with the proceedings. He gave this notice publicly (but he did not mean to say that there were any parties there who might wish him to act otherwise), that he would not use the influence of office to prevent a full inquiry, into any strong *prima facie* case of bribery at elections; for he felt, as every man must feel, that such practices had a manifest tendency to diminish the character and dignity of Parliament. He, therefore, most certainly would not exercise the influence of office to prevent the fullest inquiry into any cases of corrupt practices that might be brought before the House.”

Looking to his (Mr. Ward's) side of the House, there was a similar disposition to recognise the extent of the evil. His noble Friend, the Member for London, had brought in a bill, which he hoped he would succeed in carrying with the full concurrence of both sides of the House. There was still stronger evidence of the nature of the present system, and of the necessity of applying some remedy to the corruption which prevailed, in the testimony of a noble Lord, whom he was sorry not to see in his place, who had been one of the most formidable enemies of the ballot—he meant the noble Lord, the Member for Sunderland. In the last speech in which that noble Lord

had delivered his opinion on the question of undue influence at elections, he seemed to him (Mr. Ward) to have completely changed his views. The noble Lord, the Member for Sunderland, in his speech in 1837, rested his opposition to the Ballot on the fact that there was a striking improvement in the landowners of England generally—that they were less inclined to exercise undue influence over their tenantry, and that we might safely trust to their forbearance the rights of all who were connected with them. But looking at the speech which the noble Lord had delivered at the declaration of the poll at Alnwick, and after the experience of the last election, a singular change seemed to come over the spirit of his dream. He found in that speech the most sweeping charges brought against the whole landed proprietors of the important county which the noble Lord formerly represented in terms the most unmeasured; indeed he might say, that he never heard, from any advocate of the Ballot, expressions of more cutting censure upon the undue practices and illegitimate influences exercised at that time. He told the noble Lord that he meant to refer to his speech, and he hoped to have seen him in his place. In this speech the noble Lord accused other noble Lords, his opponents, of unworthy trickery, promises unscrupulously violated, undue means taken to influence the electors, by two Peers of Parliament—Lord Tankerville and the Duke of Northumberland.

"I challenged," said the noble Lord, "my opponents to declare that no tenant, no tradesman, no person employed by them should suffer for the conscientious discharge of his duty. You all saw how that challenge was evaded. . . . I knew from that moment that the influence of the proprietors would be used in the most unsparing manner against me, and certainly that expectation has not been disappointed. . . . You are all aware with what extreme absence of all reserve or concealment, the great power of our neighbour at the castle has been exercised; but for that I was prepared. . . . Even the little miserable pledge," given with respect to certain tenants upon Lord Tankerville's estate at Wark, had been violated; Lord Ossulston, in person, having been instrumental in inducing "these poor men, dependants of his father, to break their solemn promises, upon the plea that they had not been previously informed of his intentions and wishes."

The noble Lord added

"I presume Lord Ossulston would not break his own word, would not violate his own deli-

berate promise: but I wish to ask you, where is the distinction between breaking one's own word, and compelling others to break theirs? Does Lord Ossulston imagine that because men happen to be poor and dependent, because they happen to be of a lower rank in life than himself, they are, therefore, insensible to those feelings of honour which ought to exist in the bosom of every honest man?"

He (Mr. Ward) would be satisfied to rest his case for the ballot on the speech of the noble Lord, and he thought he might fairly claim his vote on the strength of that speech. [Lord Howick here entered the House.] He would now merely hand the noble Lord the extracts from his speech which he had been reading, and ask how, after that speech, he could refuse to support the present motion with his vote? He came now to the Bribery Bill of the noble Lord the Member for London. The noble Lord admitted as fully as he did the extent of the evil, and the necessity of a remedy. It only remained for the advocates of the Ballot to prove the superiority of that remedy which they recommended. He believed that penal enactments against bribery would not be effectual. We had had such these hundred years. They had been tried in every variety of shape, without success. As to intimidation, the noble Lord himself would admit, from its Protean character, and the endless variety of disguises it assumed, that it could not be reached by any laws whatever. There was no want of stringency in the existing laws, nor was there at former periods, when similar evils were felt. He found the following passage in *De Foe's Review*, written a hundred and thirty-five years ago:—

"We have lately had two or three acts of Parliament to prevent bribery and corruption at elections. I have already noticed that we have in England the best laws the worst executed of any country in the world. Never was treating, bribery, buying of voices, freedoms, and freeholds, and all the corrupt practices in the world, so open and barefaced, as since these severe laws were enacted."

And in another passage, written in 1708, he says,

"I have seen the possibility, aye, and too much the practice, of men's voting implicitly here for ale, there for influence, here for threats, and there for persuasion. And God knows, I speak it with regret for you all, and for your posterity, it is not an impossible thing to debauch this nation into a choice of thieves, knaves, devils, or anything, comparatively speaking, by the power of various intoxications."

There was little hope of getting rid by the legislative enactment of the noble Lord of practices which were constantly recurring, though constantly denounced; because they were privately connived at, while they were publicly condemned. He would ask any man in that House, did he think that this system could last? Could it continue without producing those effects, which the right hon. Baronet at the head of the Government himself pointed out in the speech from which he had already quoted? Millions of eyes were fixed at the present time on our electoral system—those of the millions in this country who were excluded from it, because they were told that a property qualification was the best criterion of fitness to exercise the franchise. When they turned their attention to those who possessed the franchise, to whom it was exclusively confided—when they looked to the 10*l.* householders, to the 50*l.* tenants-at-will, who, according to the theory, should be examples of integrity, disinterestedness, and patriotism, they saw the whole tenantry of England sunk in a state of almost slavish submission to their landlords, while such was the wholesale, barefaced, and unblushing profligacy of the towns, that, out of the borough returns, nearly one-third had been impeached. Since the last election no less than fifty-five petitions had been presented, complaining of undue returns, and affecting no less than seventy-eight seats. Every man on both sides of the House knew perfectly well that a great many of the very worst cases of corruption escaped notice altogether from the perfect community of guilt. No party had sufficiently clean hands to appear as a petitioner for inquiry. There had been, as he said, fifty-five petitions against seventy-eight seats. Several of these cases had been brought to issue before committees of that House, and upon some of them special reports had been made. What did these reports say? He had made extracts from five of them, which he would read to the House:—

Southampton.—“That James Bruce, Esq., commonly called Lord Bruce, and Charles Cecil Martyn, Esq., were, by their agents, guilty of bribery at the last election for the said borough. That the evidence given before your committee relative to an extensive system of treating, carried on through the means of local associations, the payment of large sums to chairmen and colourmen, many of whom were voters, and the expenditure of a sum of money for the purposes of the election, amounting to nearly 5,000*l.*, and therefore, far exceed-

ing the ordinary legal charge, is deserving of the serious consideration of the House.”

Ipswich.—Resolved unanimously, “That Rigby Wason, Esq., and George Rennie, Esq., were, by their agents, guilty of bribery at the last election for the borough of Ipswich.” Resolved unanimously, “That this committee are of opinion, from the evidence given before them, that extensive bribery prevailed at the last election for the borough of Ipswich, and that the issuing of a new writ for the said borough ought to be suspended until the said evidence shall have been taken into consideration by the House.”

Sudbury.—“That the committee are of opinion that gross, systematic, and extensive bribery prevailed at the last election for the borough of Sudbury; and they also consider it their duty to express to the House their unanimous opinion that the borough of Sudbury should be disfranchised, and that a new writ ought not to be issued for the said borough.”

Lyme Regis.—“That the committee think it right to inform the House that, although the general charge of bribery alleged in the petition has not been gone into, yet it has appeared in evidence that a corrupt practice has for some years prevailed in the borough of Lyme of lending money upon notes of hand, bills of sale, or other securities, to a considerable portion of a constituency, which did not exceed 280 by the last registration.”

Newcastle-under-Lyne.—“That John Quincy Harris, Esq., was, by his agents, guilty of bribery at the last election. That, from the evidence taken before the committee, it appears that a most objectionable practice has existed for many years, and still prevails in the borough of Newcastle-under-Lyne, of distributing money under the appellation of ‘Market-money,’ ‘Dinner-money,’ or some other local term, to the poorer voters after the election.”

The silence of the committees on other cases was no proof of the innocence of the parties concerned, or of the exemptions of these boroughs from similar offences, because they had already been compelled by their own sense of justice, and by the demands of public opinion, to refer to a separate committee the cases of Nottingham, Penryn, Reading, Harwich, and Belfast—in all of which, except the last, the committee had reported that the sitting Members had been duly elected; and, in the case of Belfast, no proof of bribery had appeared before them. To withdraw a petition was now almost synonymous with a confession of guilt. He (Mr. Ward) believed he could prove, if the House had not already enough of that kind of business on its hands—that all the petitions that had been withdrawn, with one single exception, had been withdrawn by compromise, though

they had not attracted the notice of his hon. Friend the Member for Bath. He repeated that, with one solitary exception, every petition withdrawn had been compromised by a private arrangement, so as to withdraw it from the jurisdiction of the House. They were told, by the way, in extenuation of this practice, that it was an old one—that there were similar cases in the last Parliament—that Norwich was a crying case, in which leading Members of both parties were concerned. He thought that was no extenuation of the offence. It was no reason why it should not be inquired into. It did not render their corrupt compromises less discreditable to the character of that House. This was the evil which they had to grapple with at present. Unless it was checked, it was certain to progress with frightful rapidity. When once a man learnt to “contaminate his fingers with base bribes,” he became morally degraded. The appetite grew by the garbage that it fed on, until every check of honour, conscience, and public morality was lost. He (Mr. Ward) fully believed, that they must go back to first principles, if they meant to have any principles at all. Now, the first principle of representative Government, as he understood it was, that there should be a free and independent right of voting. The voter must be a free agent. He must speak his own sentiments, and not be the tool or mouth-piece of anybody else. The state was bound to secure to the voter the power of recording his own unbiassed will. When he said unbiassed, he did not mean free from the influence of example, of advice, of superior intelligence. These must always have their effect, so long as there were weak minds and strong minds in the world. He meant unbiassed by dictation or corrupt influence of any kind. He did not believe, under a system of open voting, that there ever could be an unbiassed expression of the feelings of the majority of the electoral body—open voting proceeded on the principle that the feelings of the majority of the electoral body were not to be trusted; that they must be checked or controlled by some other influence brought to operate upon them—in a word, that the machinery of a popular government could not be worked by its own inherent power. That opened a very wide field indeed. It opened the whole question relative to the merits of the different kinds of government. He did not mean to enter into that question at all. He assumed that in England everybody was satisfied with the representative

form. He assumed also that, when we talked of representation, we meant real representation, and that, when we talked of responsibility, we meant real effective responsibility of the executive power to Parliament, and of Parliament to the people. But if they did mean that, then the necessary and inevitable consequence was, that there should be a free and independent right of voting as the basis of the whole superstructure. Look at the dilemma in which they were placed. They began by limiting the franchise, because they said it was necessary to limit it in order that it might be properly used. Then they claimed a right to control those who had the franchise upon the plea that they could not exercise it rightly, if uncontrolled. Now, if the electoral body were fit to have the franchise at all, the nearer the results of an election represented the opinions of the majority of that body, the better. If they were not fit to exercise it, the evil to deal with was in the composition of the electoral body, and not the freedom of the vote. He affirmed, that with open voting there never could be a free expression of the opinion of the majority of the electoral body, for one moiety of it would be coerced and the other bought. In both cases, instead of voting according to his better judgment, the elector was compelled, after nicely balancing conflicting disadvantages, to take the course which was least detrimental to himself. Upon this subject he might refer to the opinion of the hon. Member for Pontefract. The hon. Member had an amiable leaning to corruption in its milder form. He came forward as the friend of the poor man. He hoped he was not taking an undue liberty in attributing to the hon. Member a recent pamphlet on “Purity of Elections.” So far from disavowing it, the hon. Member had done him (Mr. Ward) the honour to give him a copy himself. The hon. Member appeared in the character of the poor man’s best friend, and said, speaking of the poorer class of electors,

“That in the limitation of his views, and in the weakness of his reason, the candidate who discharges his arrears, who places him in a happy and easy state of mind, seems his best friend, and obtains the support of his vote.”

The hon. Member believed it possible to put a stop to this species of corruption by legislative aid, but he adds, and not without much truth,

“There is another evil already existing

to a great extent, which any coercive law against bribery would leave in full action, and to which indeed it would give still freer scope. The spirit of political corruption, checked as far as possible in its milder form, would throw all its energy into the shape of intimidation. Here at least is a corruption which confessedly can foil all positive enactment: 'conscious of political rights or the fear of public opinion,' can alone prevent any man from discharging a tenant or a labourer who has voted contrary to his desire, from ceasing to employ a tradesman who has displeased him, from depriving of his charity the opponents of his will. If a million of money went down among the people from the upper classes at the last election, as has been asserted (a sum, by the bye, not twenty times as much as was spent on many a county election in the old time), it must at least have conferred a great deal of material happiness, while the intimidation which should take away any portion of that sum from the comforts of the people, or threatened to do so, could only produce unqualified misery: legislation might diminish the amount given, but it can do nothing with that arbitrarily withheld: the corruption which gives pleasure may, perhaps, be checked, while the corruption that gives pain goes its way unchallenged."

He (Mr. Ward) thought that the corruption which gave pleasure was quite as pernicious as that which gave pain. He (Mr. Ward) had as strong an objection to head-money at Pontefract as to any kind of intimidation. He thought the advocates of this doctrine were sowing insidiously the seeds of unlimited corruption. It would lead to the destruction of all popular institutions; and he was sorry to see the hon. Member for Pontefract lending to such a doctrine the aid of his talents and the sanction of his name. But then the hon. Member said they might trust "to the growing conscience of political rights, and the fear of public opinion," to check the abuse. The noble Lord the Member for Sunderland had cured him (Mr. Ward) of all such delusions. The noble Lord thought, in 1837, as the hon. Member for Pontefract thought now. But what did he say in 1841? He abided by the noble Lord's last speech at Alnwick. He abided by his last sentiments instead of his first, for he himself had no faith in anything in this country—but in the growth of the abuse. And, if they wanted to know the extent to which that abuse was carried, they must look to the counties of England. He spoke in the presence of a great many Gentlemen who knew well what a county election was. They knew well that there was no exaggeration

in his saying that, almost without an exception, the votes of the tenants were regarded as a portion of the chattels of the estate. No man dared to canvass his neighbour's tenants. Persons would as soon think of robbing his deer-parks, or shooting in his pheasant preserves. When persons heard of a county contest, they reckoned, as to the result, by the number of acres in the possession of particular families, not by the peculiar views of the tenants, but by the votes which, in the hands of their tenantry, each family could command. When Lord Chandos's motion was carried, it was so on the distinct allegation that the farmers of England would constitute a most independent class of voters, and be as free to exercise their right as any other class in the community. But how stood the fact? The system was now reduced to such a nicety in the counties, that even neutrality was reckoned an offence. They forced the tenants to register first, in order that they might force them to vote afterwards; and when things were at all nicely balanced, the death of the owner of a large property often turned the scale. He might mention as an illustration of this, the last election for the West Riding of Yorkshire. It was a very memorable contest, and never was there more canvassing, and never greater activity employed in a canvass, than upon that occasion. He recollected that, at that time, there was one little oasis in the desert—there was one spot exempt from all the noise and bustle of a conflict—that was the spot occupied by the tenantry of the late Duke of Leeds. The Duke of Leeds happened to die, as the canvassing began; and nobody ventured to ascertain, for some time, what the opinion of the present Duke of Leeds was likely to be. The tenants, therefore, remained unsolicited, awaiting that impulse which was sure to come from above. A little time, of course, was given to decent regret, but just at the critical moment the sentiments of the Duke of Leeds were ascertained, whilst he was engaged in his own contest at Sheffield. He was walking one evening in the neighbourhood of that town, in company with a friend, just as the uncertainty was about to terminate. They met a farmer on horseback, a fine burly-looking man; as good a specimen of a Yorkshire yeoman as one would wish to see, and a person, it might be supposed, little likely to take an order from anybody upon any other subject than this. This farmer was asked "how it was to go," and what was his answer? "Why, "



have got our orders at last. We are all to be yellows this time." And the poll-book proved that they were "yellow" to a man, though, if the old Duke had lived another month, the two hon. Members for the West Riding would have had their equally unanimous support. Now, this man happened to be very well disposed to be a yellow; but if he had been blue to the back-bone the result would have been the same. Now, no man would venture to affirm that the Duke of Leeds' tenantry were more coerced than those of other landowners, but such was the subserviency—such the degradation—of the tenantry, that nobody ever dreamt of consulting them. It was assumed, as a matter of course, that they would be just as ready to go with their new master as with their old; and though Milton and Morpeth happened to be the popular candidates in that district, this was an accident with which the system had nothing to do. There was, then, the Wigtownshire election. There the parties were nearly balanced. For upwards of three weeks Lord Stair was made the object of a series of the bitterest attacks from the conservative press. It was said to be a shameful, iniquitous, profligate attempt upon their liberties, to buy an estate on which there were no less than thirty votes, in order to get the control of such a number of votes as would turn the scale at an election. Now it happened that Lord Stair had been in treaty for the purchase of this estate some time before the election, and what was the grievance of which the opposite party so loudly complained?—that he had got an estate, on which it was said that promises had been given to Mr. Blair before the estate became the property of Lord Stair. The hardships of the unfortunate tenantry were greatly complained of; because it was said they would be obliged to vote for the gallant Officer (Captain Dalrymple) who now represented the county, and was returned but by a majority of six. To hear these complaints it might be supposed that coercion—that interference with the tenants were unknown to the opposition ranks. And yet what was the fact? Upon the day of nomination a very remarkable letter was read at the hustings. It was written by one of the greatest landed proprietors of the county, Mr. Murray, who spoke of the system of coercion exercised by the Tory gentry, and stated that it was not to be equalled in the annals of electioneering profligacy, and that charge he brought to their faces before the whole country. He

challenged an answer to his charge, and no man had dared to answer it. The letter which he addressed to the hon. Member for Cocker-mouth, was read at the hustings by Mr. Horsman.

"My dear Horsman—I regret exceedingly that, owing to the second day's polling for this county taking place on the same day that has been fixed for the nomination of the candidates for the county of Wigtown, it will be impossible for me to be present at the latter. It was my intention, but for this unlucky coincidence, to have proposed Captain Dalrymple. I should have done so, because I consider him eminently fitted by his station and character to represent the county; but still more, because I know that he regards with disgust and abhorrence that odious system of intimidation and tyranny by which so many of the Wigtownshire proprietors have attempted to stifle the honest voice of the electors. I consider these attempts to coerce the voters, and to force them to do violence to their conscience, as quite as bad, if not worse, than the proceedings of the slave dealers on the coast of Africa. It is, in fact, a subornation of perjury, and an effort to insult, degrade, and brutify the constituency."

So far, then, for the counties. He now went to the towns, and they found there substantially the same state of things. They knew through the election petitions sufficient of the bribery in towns; but persons were much mistaken if they supposed that intimidation was confined to the counties. On the contrary, they found many of the most cruel varieties of intimidation exercised on the borough constituencies. In the towns every man was known to the other; and the means were diligently employed, with respect to the elector, "how to get at him." The great test of merit and activity in an agent, was his acquaintance with the circumstances of the electors, and of the means by which "they were to be got at." The pressure began with the elector at the registration courts—it followed him in his business—it visited him at his lawyer's and went with him to his banker's—it was to be found with him at his creditor's—it pervaded and perverted every relation of social life. And then, when the election came on, there was the odious personal canvass—there was exclusive dealing—there was the published list of voters, as at Cambridge, the seat of one of their universities—marking out for ruin the honest man, who had voted according to the dictates of his conscience. The book that he now held in his hand, from which he was unwilling to make any extracts, contained the evidence which was to

before the Intimidation Committee. He did not want the book, for he had enough of new matter without it; but it would be found to teem with facts such as he described. And was it not, he asked, disgusting, was it not almost without a parallel, in the history of political profligacy, that, while they went through the form of those inquiries, while that House was pretending to censure, or affecting to disbelieve, facts as notorious as the sun at noon-day, the strings of the whole machinery of corruption should be held by five or six Members sitting on the two opposite benches—who chose the candidates, who controlled the funds, and who, according to the demands of the constituency to be supplied, pitted them against one another, according to their respective means, and then came back there to talk political purism, and to visit with the virtuous indignation of Parliament the unhappy agents who might be detected in the execution of the plans, to which their party was indebted for its success? This was the truth, and they all knew it. It was known to both sides: and when they asked of the possible corruption that might exist in America, because they held their Caucuses; he asked where was there ever a Caucus equal in profligacy or power to the Caucuses sitting at the Carlton and the Reform Clubs, whenever a general election took place? The noble Lord on the one side, and the right hon. Baronet on the other, he believed stood aloof from them; but still the Caucuses to which he referred were a part of the machinery of the Government, and persons high in their confidence were employed to work that machinery. He affirmed that the Ballot would break up that system, and nothing else could. They might try legislation, but it was his opinion that bad habits were stronger than the best laws, when there was a perverted morality to sanction the violation of the law. But when the law failed, they would find that did something by giving up the power to do wrong. When the law failed the Ballot would step in, with its silent efficacy, to correct the abuse which the law did not reach. Let them once make the voter aware that secrecy was his safeguard and his right, and that it was given for the purpose of protecting him, and the whole of the mischief would be put an end to. The publicity of the vote was the first condition either of punishment or reward. No man could punish upon mere suspicion. Even according to his own distorted views of

right, he must be able to shew that the tenant whom he ejected, or the tradesman whom he had ruined, had not fulfilled his part of the compact. If he did not do this he added oppression to injustice, and he believed it would soon be found impossible to reconcile the consciences of men to the exercise of any such powers. It was his belief that men would cease to exact promises, when they must know that promises would lead to no certain result. He was quite aware of the answer that would be given to this—that it would encourage men to break their promises—that it was immoral or un-English. All pretty phrases coined to aid corruption in the foul use of bad means to attain the worst ends. But he might answer these questions by asking another—Was it moral for a man to vote against his conscience? Was it English that he should be browbeaten or bribed? The voter cheated the State when he voted for a man that his better judgment disapproved, and was induced to do this by fear of injury or hope of gain. If the State placed a barrier between corrupt influences and the man who had the vote, those who would trench upon the natural rights of their neighbour, and violate the law, could not complain if they were defeated in the bad end they had in view. For himself, he believed that intimidation would be put an end to by the Ballot. Let them, then, see how it would act on bribery. Now, all individual bribery would be stopped by it. No one could make out that he had redeemed his conditions on which the bribe was to be given. They must then come to a wholesale bribery of the Members of the constituency, if it were brought into operation at all. Two things, then, must be necessary. First, the constituency must be very small; and next, thoroughly corrupt. There must not be one honest man on either side, or otherwise the system must be exposed at once. As to the size which the constituencies ought to be, that was a matter which he did not mean to mix up with the present discussion; although he had a strong opinion upon it. He believed it to be absurd that the same political power should be given to Harwich and the West Riding. But waving this point,—giving his opponents every advantage,—admitting the constituency to be everything they could desire,—conveniently small and perfectly corrupt—how would they set about the practical execution of their plans? He attached some importance to this point, because he was for some time

of opinion that, provided they bought the whole of the constituency, bribery would be facilitated by the Ballot. Let them admit now that all circumstances concurred in their favour—that the candidate had chosen as his agent an old tactician—a man well versed with the tricks of the trade. Let him tell to that man that he had lodged 3,000*l.*, that he should have 200*l.* as his fee, if he were unfortunate, but that he might dispose of the whole 3,000*l.* if he were successful. The inducement must be made public. They must place themselves in the power of a great number of persons, who were to receive their 6*l.* or 8*l.* for a vote. Let them then suppose that the votes corresponded with the number of promises given, they had then to come to a division of the spoil. Let them recollect that they would have no proof of a man's claim beyond his own assertion—they had no check upon him beyond his conscience—and for 300 voters, they might rest assured of, they would have 500 claimants to satisfy. They dare not reject any one claimant without the fear of being exposed. Even all those who had voted for the defeated party might, and, no doubt, would, come forward as claimants. What check would conscience be upon such men? Let them put a 10*l.* note upon one side, and a Sudbury conscience on the other, and they would find that the man who now took the bribe in one hand and the Bible in the other, would be one perfectly ready to come forward and swear he was entitled to the bribe he had not earned; so that, in point of fact, not merely a majority, but a whole constituency must be bought. A single rejected claim must terminate in making the election void, for the inducement must be public, and the distribution easy of proof. It was a mistake to suppose that the House would not retain its jurisdiction in a matter of this kind. In all matters relating to bribery or personation on a large scale—free access to the poll—proper formation of register of votes—the jurisdiction of Parliament must remain the same. Wholesale cases of bribery could be visited by punishment from that House as it was now; and the noble Lord's bill could then be brought into exercise with greater effect than it could now. It was, he knew, fashionable to say, that the Ballot could not secure secrecy; but the real objection to it was, that it would, and all knew that it would. He should have no want of converts if he could only prove that the Ballot would leave matters pretty much as they were. But he

would hold out no such hopes. The efficacy of the Ballot was its great recommendation. It would put a stop to intimidation, and it would diminish the probability of bribery; but he believed the Ballot would do much more—it would give a healthy tone to opinion. It would make canvassing what it ought to be, the reverse of what it is. It would make it an appeal to the intelligence of the electors, and not to their sordid interests; it would make it an honourable communication between man and man, and not a compound of brow-beating, mean cajolery, trickery, and fraud, as it was now. He felt that he had trespassed too long on the attention of the House; but there were one or two objections which he desired to notice. His noble Friend, the Member for London, had declared the franchise to be a trust exercised for the benefit of the non-electors, and that it would be unjust to deprive the non-electors of their control over it. Now, if this argument came from any other quarter, he should say, that it was remarkable for nothing so much as its bad faith. It was not to the non-electors that open voting made the elector responsible, but to those who had power over him. The non-electors could only exercise that power by that coarse and clumsy intimidation which the law would put down, and very properly so, because it was akin to physical force: while influence which came from above had so many decent pretexts, and so many a specious garb, that it could never be reached nor punished, nor prevented from seizing the opportunity of punishing the elector who had voted according to the dictates of his conscience. He believed that the legitimate influence of non-electors would be infinitely stronger, if the pressure of all illegitimate influences were withdrawn. But then, if the argument of the noble Lord were good for anything, it was good for this, that it went to show that there ought to be an extension of the suffrage. It proved that the large masses were excluded from the franchise who ought to have the constitutional means of making their influence felt. Then, he said, enlarge the constituency—widen the basis—admit those who were now excluded. Such a change he considered as desirable—such a change he believed to be inevitable. If he did not think the Ballot would advance it, he should not be its advocate that night. But then those opposed to the Ballot said it would destroy the legitimate influence of property altogether. He believed there

was just as little foundation for such an assertion as for that to which he had just adverted. He did not think that one particle of legitimate influence would be lost through the Ballot. He believed that character, intelligence, worldly advantages, where they were wisely and properly used, would retain their influence with the Ballot as well as without it. And he had yet to learn that property was entitled to anything more. He had yet to learn that a man was entitled to coerce his fellows because accident had made him a millionaire, or birth a landowner, or a lord. But the whole of the fallacies on this subject were so admirably exposed by one of his own constituents, who, if justice were always done to merit, would be standing in his place that night as the representative of his native town, that he could not refrain from reading a short extract, and it would be the last with which he should trouble the House. He alluded to Mr. Bailey, the author of the *Essay on the Formation and Publication of Opinions*, and the *Rationale of Political Representation*, from which he was about to quote:—

“The higher classes in this country have so long exercised a power over the community by means of the brute force of rank and riches, applied to the hopes and fears of those below them; that they have accustomed themselves to regard it as a salutary and even necessary control. It has relieved them, too, from a great part of the trouble of being intelligent, active, and virtuous. They have found it much easier to arrive at the office of legislator by throwing away a few thousand pounds for a seat, or ejecting a few miserable tenants, than by winning affections through their virtues, or commanding esteem by their superior intelligence and well-directed activity. They dread a change which would annihilate that unjust influence in elections which they have hitherto enjoyed from mere wealth and station; and, apprehending that to maintain themselves on the vantage ground where they have been set down by fortune they would have to task all their faculties, they shrink from the hardship of being useful, and recoil from the labour of thought.”

Now, there was no man who called to mind the great orators and statesmen the English aristocracy had given to the world, who must not say that there were brilliant exceptions to Mr. Bailey's views. But if the Ballot, as he supposed, would compel the aristocracy of the country, as a class, to forego adventitious advantages, and to throw themselves, as the right hon. Baronet op-

posite said, the other night, that he was prepared to do, upon the reason and the intelligence of the community for support, who would deny that this was “a consummation most devoutly to be wished?” He was not one who would wish to shut out wealth and rank from the legislation of the country. He thought with Mr. Mills, that the business of Government “was the business of the rich;” but then, he wished them to arrive at it by fair means; by means that would raise their own character as well as that of the community, instead of depraving both, which the present system of open voting was now doing. They ought, he said, to change that system, of which it was impossible to exaggerate either the evils or the dangers. He believed that if it were allowed to go on for a few years longer, it would destroy this country, for the system sapped the basis of morality, of honesty, and feeling, and it made principle a by-word of contempt. It would waste the strength and substance of popular government, and leave them nothing but the semblance and the shell. Who was it, he asked, that gained by it? Was it individuals? Let them look to the fortunes wasted, and the families beggared, in this odious apprenticeship to English public life. Who gained by it? Was it parties? No. Why, if history taught them anything it taught them this, that nothing was permanent or safe in a rotten system, and that if there was no nobler object of ambition, nothing more honourable, or more worthy of the labours of an honest man than the leadership of a free people, founded upon its intelligence, and public virtue—there was nothing so precarious, or so fleeting, as power based upon its demoralization, and dependent upon its caprice. It was to this that all parties were tending in England at the present day; and, as the best means of averting the danger, which his humble judgment could suggest, he called upon them to renounce the power which was the origin of the abuse, to throw themselves upon their public merits and their public services, and, standing upon public opinion, to put an end to that odious system, to put an end to the usurpations, to the tyranny, the hypocrisy, the fraud, of which open voting was the source, by giving their assent to the motion which he respectfully placed in the hands of the Speaker, that in all future elections of Members of Parliament the votes should be taken by way of the Ballot.

SPEECH OF THE HONOURABLE C. P. VILLIERS, ON THE DISTRESS  
OF THE COUNTRY, JULY 8, 1842.

(*Speech, p. 1224.*)

Mr. Villiers said, that he thought that the importance which attached to the speech of the hon. Gentleman who had just sat down, as well as to that delivered earlier by the hon. Member for Macclesfield, in a similar strain, was, that they had only repeated what had been said or insinuated by the different Members of the Government who had spoken on the occasion, and which they had seemed to rely upon as a ground for resisting the motion of his hon. Friend, and denying their power of relieving the country—and he called attention to the circumstance in order that the people might learn from reading those two speeches on what sort of statement and argument it was that all consideration of the present state of the country was refused by this House. Those speeches certainly have not been received with much favour by the House, still it is fair to those Gentlemen to admit that their views are not one jot more extravagant or unreasonable than those which have been repeatedly urged by persons of more importance on their side of the House. They have come to the same singular conclusion that their friends have done, that the motion, having for its object inquiry and relief, should be refused because all are not agreed as to the cause of the distress, and many still differ as to the relief that could be given. With most men he should suppose that would be no ground for supporting the motion, inasmuch as difference of opinion would afford the best ground for inquiry. He indeed did not know why there should be inquiry if men were agreed, or when inquiry could be of service but when men differed; and how stands the matter in this case—already nearly two millions of people have prayed this House to repeal a law which they allege to be the cause of, or greatly to aggravate, their present distress; and three and a half millions more have claimed political power to enable them to redress their own grievances, and point to this same law as among their most prominent grievances; and yet because these Gentlemen say that there are others (who have not however appeared before this House) who differ from this view of the condition of the country, and who assign other causes for the distress, and seek other remedies for its relief, they refuse all inquiry and all relief. Surely this is trifling with the sufferings of the people; and surely the country is in a state not to be so dealt with, that they ought to spare some moments before the prorogation for the purpose of satisfying the people that nothing within the power of the Government or this House had been left undone to relieve them. He did not deny that his hon. Friend might have drawn his resolution with more care, or that the terms in which he had expressed his object might be open to observation; but knowing well the purpose which he had in view, and believing that if men would deliberately and earnestly take the subject into consideration, they would not be long without devising a remedy for the present distress: he thought they ought not to criticize too nicely the form in which it was proposed;—and for one he should certainly give it his support. He considered that there was no time to be lost—every hour the cry of the suffering millions was becoming louder—every hour the cry for relief was becoming more urgent, and the feelings in the country which have been known to prevail, were daily filling the minds of all reflecting men with alarm. The patience of the people under great suffering had, up to this moment, been beyond praise; and God grant that it might so continue, for most surely would any thing like confusion add greatly to their misery; but they all knew that there must be a limit to the endurance of suffering, and beyond a certain point nature itself would not submit; and this indeed it was which was exciting such alarm and apprehension in the minds of all apparently but those who governed the country. They it seemed did not dispute the distress, but cast vague doubts about its cause, and seemed to deny or dispute any danger resulting from it. But he contended, that if the people had been hitherto patient, it was a reason why they were entitled to something more from the Government than a few lackadaisical phrases about their good conduct, vague generalities about the causes of their suffering, cowardly sneers at machinery, without venturing to repudiate

its use and insulting references to the people's privations, in a constant talk about over-production, a relative term at all times but at this time to be explained, beyond question, by a diminished ability on the part of the people to consume. He said they were entitled to more respect and consideration than this, and he thought it was a merit of his hon. Friend's motion, that it did peculiarly call upon the Government, if they opposed it, to state distinctly their views as to the state and prospects of the country, to what, in their opinion, its present alarming condition was to be referred, and on what they relied for its improvement. If they were fit to be Ministers of the Crown, they ought to have satisfied their own minds on this subject, and the people in this country, whom he believed were the most reasonable in the world, ought to be satisfied in one way or the other;—the Ministers ought to give them either hope of relief, or explain to them in a manner that should be intelligible why all relief or remedy for present evils are beyond their power, and not within the controul of this House; and yet, though no hope of relief was held out to the people, not one syllable had fallen from any one of the Ministers to prove they had any definite opinions of their own on the subject, or that the people were wrong in charging the legislation of this House with the cause of much of their suffering; the hon. Gentleman who had just sat down, had certainly denied that the people wished to see the Corn-laws repealed or that they expected any benefit from that measure, but he must express his doubts as to whether that hon. Member, after the course he had pursued in Parliament, could be considered as a fair authority for the opinions and interests of the working classes. He believed that he neither understood their interests, or fairly expressed their opinions—after the votes that he had given he ought to presume that the people cared nothing for their political rights, and were more anxious for their condition as paupers than as independent labourers; but the hon. Member cannot deny that vast numbers of the people complaining that justice was denied to them by this House, have sought the extension of the suffrage for themselves;—nor can he deny that large masses of the people connected nearly with every branch of industry, have pointed to the Corn-law and other monopolies as the cause of their distress, yet he has opposed every motion

for considering their claim to political rights, and he is the invariable opponent of every measure for giving freedom to trade; and though the hon. Gentleman professes to be an enemy to the present Poor-law, his experience of the character and feelings of the industrious classes, must differ very widely from his (Mr. Villiers'), if he had not found that nothing they held in such dread and abhorrence as being forced to depend upon charity, rather than wages and independent labour for support. In answer to that Gentleman's assertion, that the people cared nothing about the repeal of the Corn-law; and that its advocates were only to be found in this House, he begged to tell him that only on that morning he had attended a public meeting.—[Mr. Ferrand: Where?] In Palace Yard! composed of persons delegated from all the most important and populous districts of the kingdom—men well acquainted with the interests, feelings, and opinions of the working classes, as well as of those by whom they were employed, and they expressed an unanimous opinion that the Corn-laws were now the great obstacle to trade, and the consequent employment of the people, and they carried one resolution to this effect, and another to convey their strong desire that the question should be brought before the House, in order that it might have farther consideration under the present circumstances of the country. These persons well knew the misery and suffering endured, from want, by the people; and they knew, as every sane man, he supposed, must know, that the remedy for starvation was food. But, said Gentlemen opposite, it is not food the people want, but the means of purchasing it; but he (Mr. Villiers) said, confidently, that the people had the means of purchasing it, in the results of their unrivalled skill and industry, and that God, in his beneficence, had, as an hon. Member the other night stated, created food in abundance for all the mouths that he had made. There was food in plenty within the reach, then, of our starving people, and they had goods in abundance to offer in exchange for it; but no! says the hon. Member for Knarborough; no! say the Gentlemen all around him, you may have goods, and the Americans may have food, and both in excess, and both may be suffering from not disposing of that excess, but we will, for purposes in which we are interested, stand between you and that exchange which would satisfy the wants of both. The real picture

of their condition in this respect would be, the people of this country stretching out their hands for food to those who possessed it in abundance, and who, in a similar attitude, were seeking the goods which we produce, and desiring to take them in payment for food. It was opposed to the fact to state, then, that the people had not the means of paying for food; they had it in abundance, but legislators step in to prevent their using it; and he asked whether the country was in a state to make it a matter of indifference whether such obstruction was suffered to continue, or, at least, to refuse inquiry as to whether its removal would not provide a remedy. Not only was the suffering intense, but, as he had said before, the alarm was general; for many feared that necessity might lead to violation of the law; and the liabilities of property were every hour augmenting from the fear of some outbreak or disturbance of the peace. He held in his hand a paper signed by the inhabitants of Bilston, signed by persons of all politics—of all professions and kinds—urging upon the board of guardians the necessity of affording liberal relief to the labouring class and their families during the present period, as their condition bordered upon starvation; and the parties signing the paper intimated their readiness to bear whatever burdens might be rendered necessary by such a measure. The hon. Member then read the printed paper which he had received from Bilston:—

“We, the undersigned inhabitants or rate-payers of the township of Bilston, truly aware of the very great distress produced among the working classes of the district, by the unparalleled stagnation of trade, especially the coal and iron trades, feel it our duty to urge upon the board of guardians, in the strongest terms we can, the necessity of affording a liberal outdoor relief to the unemployed and their families, during the continuance of the present depression. We cannot but feel deeply the lamentable condition into which numberless poor families in the township are at this moment plunged, a condition very closely bordering upon actual starvation; and we therefore sign this memorial, in testimony of our willingness to bear the burden of any extraordinary rates which the liberality we now urge upon the board may occasion.”

Was it not too bad, then, when the people were seen actuated by generous feelings, as regarded their own properties, and when the people's wages were reduced to the lowest point, to hear the hon. Member for Knaresborough repeating in that House, night after night, that all the manufac-

turers wanted to repeal the Corn-laws for was to lower wages—as if anything could make them lower than they were now; and when most of those who had signed that paper, and the capitalists generally, in that important district, believed that if the trade were unfettered with the United States and Brazil, ample employment might be found and high wages might be earned by those unfortunate people now reduced to the last extremity? Those who called for free-trade had been charged with not showing in what way relief could be afforded by it, and where those resources were to be found of which he had spoken. To that he would say, that he would undertake to satisfy that House of the fact, by calling no more than a dozen credible and intelligent witnesses to the Bar, who would show what would be the effect, at once, on most of our staple manufactures, of even opening the trade with the United States. But such an inquiry, were he to propose it, would be refused by Gentlemen opposite, because they knew the effect it would have upon the country, and they knew that what they denied was true. The noble Lord, the Member for North Lancashire, had said the other night that there was not the capacity in the United States to consume our goods. He (Mr. Villiers) said, that after that doubt had been expressed by a Member of the Government, there ought to be some reasons given in support of the opinion, or inquiry should be instituted upon that most important point. The Government ought to tell those whom they contradicted what the resources were of these countries with whom the people believed they might have a profitable trade, and where they believed there was an over-abundance waiting for a market—or the people would never believe mere assertions that might be intended, and must be suspected, seeing that the use of the law of which they complained was to exclude that very produce, and to give value to the land possessed here by those who made the law. They had heard the other night from the Member for East Somersetshire, that he firmly believed the facts contained in his American correspondent's letter. He had a copy of what the hon. Member had read, and he would read it to the House. He said,

“That the *New Orleans Price Current*, in anticipation of the new tariff, had published an article in which the writer observed that New Orleans was the outlet for nine important States of the Union, containing 450,000 square

miles of rich cultivable territory, in which the manufacture of cotton and other clothing was almost entirely unknown."

After enumerating the nine States, this correspondent said,

"That the resources of this great country wanted nothing for their full development, but that their natural market, England, should be thrown open to them."

They called it the natural market (said the writer),

"Because it offered them the very goods which the nine States wanted and required—the very articles which they had so abundantly to dispose of; but, unfortunately (he said), legislation had interfered and produced this most mischievous result, that while the States annually overflowed with corn, which they would gladly exchange for the manufactures of England, neither country was permitted to enjoy the inestimable advantages which would result from a free intercommunication of goods."

He (Mr. Villiers) had inquired since on the subject, and he found that in those nine States, containing nearly 6,000,000 people, there was not more than 200,000*l.* vested in manufactures, and that they entirely depended upon their agricultural produce for the means of procuring manufactures. He must refer for a few moments to the statistics of America, to show that the views which were entertained on this subject were no mere phantom—no vision—but that, if the trade with that country were opened, all the misery and wretchedness which now prevailed must cease. In answer to the noble Lord's views as to the capacity of America to supply us with food, he would read an extract from a letter on the statistics of the States, furnished him by a merchant at Liverpool:—

"I will confine my views more particularly to those regions which are especially adapted in soil and climate to the growth of wheat, and which being in the vicinity of the Lakes Ontario, Erie, and Michigan, can now convey their productions to the market of New York. The Erie canal, of 363 miles in length, opening a navigable communication between Lake Erie and the Atlantic, was completed in 1829. It has several lateral branches. This canal enabled the productions of a region extending in New York to 15,000 square miles to 3,000 miles in Pennsylvania, 10,000 in Ohio, 5,000 in Indiana, 8,000 in Illinois, and 30,000 in Michigan, and thus opened a channel for the productions of 90,000 square miles of a region especially adapted to the growth of wheat. The Ohio canal communicating from Lake Erie to the Ohio river, was only completed in

1833, and opened a channel for the whole state of Ohio of 40,000 square miles, and the fertile countries bordering the Ohio river to Lake Erie. It is, therefore, safe to say that upon the United States side of the great lakes, there are 100,000 square miles from which not one bushel of wheat was conveyed to a maritime port previous to 1825, which can now send their products to New York."

This might, perhaps, alarm country gentlemen; but he read it because he believed it to be true, and because he wanted to soothe the people by the assurance that it was possible to provide a remedy for their distress. But the correspondent dwelt much in his letter upon the obligation which has of late years been imposed upon the Americans of becoming manufacturers for themselves, and says:—

"Certain it is that the United States consumed, in their own manufactories, 103,000 bales of cotton in 1827; 196,000 in 1834; 297,000 in 1841; and a great increase has taken place also in the manufacture of wool and other articles."

He would now read, on account of its coincidence with these independent accounts of the resources in America, some passages from the statements of a person who had come over here from the United States, to give information on the point. The writer says—

"The great want of England is unquestionably a market where she can exchange her goods on reasonable terms for food. . . . The people of the United States have already expended 40,000,000 sterling on works of public improvement to open their country to the commerce of the world. . . . Let us now turn to the capability of the United States to furnish England with food in exchange for goods. All parts of the United States between thirty-seven and forty-four degrees of north latitude will produce wheat. But that part of the country best adapted to furnish an abundant foreign supply is, beyond all question, the northern part of the Mississippi valley, and the contiguous country south of the great lakes. It has been styled *par excellence* the wheat-growing region of America. Other parts of the country can grow sufficient for themselves, besides producing some for export; but the surplus of the newly-opened region in the north-western States already governs the market price in America. It is from thence that foreign supplies would be chiefly drawn, and therefore it is important to direct especial attention to this region. Within its limits lie the six north-western States of the American Union, Ohio, Indiana, Illinois, Michigan, Iowa, and Wisconsin. . . . The lands already sold in these States exceed in amount the cultivated lands of the British Isles by more than



5,000,000 acres. At the same rate of production with British land, they are capable of feeding thirty millions of people. . . . Of course it is impossible accurately to estimate the productive powers of any country before they are fully put to the test. . . . These things, taken in connection with the fact that property and profits are more equally distributed than in any other country, and that every man aims at acquiring the highest degree of independence and comfort for himself and family, afford an assurance, not only of an immense production of staple agricultural commodities beyond the wants of the people, but a certainty that their powers will be exerted to the utmost if a commensurate market is afforded them. Their industry, stimulated by the wants of a civilized and rapidly-progressing society, of itself insures a demand for all the manufactured goods, wares, and merchandise which their agricultural produce can pay for. The consumption of manufactures amongst such a people has no limit but their ability to purchase; and were a free trade with Great Britain given them, an immense exchange of products would instantly take place to the unspeakably great advantage of both countries. . . . The superior quality of the wheat grown in the western States is worthy of notice. It is to be ascribed to the influence of a congenial soil and climate. The soil is composed chiefly of disintegrated limestone, the most natural of all soils for the production of wheat, and the climate being cool and clear, secures a perfect growth, while the dryness of the harvest months enables the crop to be saved in the most perfect manner. The extraordinary facilities of this country for the importation of goods and the exportation of its produce have already been adverted to. Three-fourths of it lie within one day's conveyance of navigable waters or canals. There are on the western inland waters five hundred steamboats, many of which are from six to eight hundred tons burden. The State of Ohio alone has constructed eight hundred miles of canal at a cost of 3,000,000*l.*, besides railroads and other public works in progress. Two-thirds of its border is on waters navigable for the largest class of steam-boats."

This person, after exhibiting the means which these countries have for exchanging their respective products, says,—

"Abating the importation based on the loans of the last few years, the trade of England with the United States has not increased in amount for the last thirty years, while the population of England has increased from eighteen to twenty-seven millions, and that of the States from seven to seventeen millions."

He would read an extract or two from a memorial presented to Congress from New Jersey, setting forth the resources of the two countries, as admirably adapting them for reciprocal trade :—

"The six north-western States (including as such the two territorial governments, soon to be admitted as States) of Ohio, Indiana, Illinois, Michigan, Wisconsin, and Iowa, spread over a surface of 236,211 square miles, not including the portions of Wisconsin and Iowa still held by the Indians. Being situated in a temperate and healthful climate, with the greatest natural facilities for communication abroad, with a soil of amazing fertility, they constitute a region of country as well adapted to the residence, support, improvement, and happiness of man, as any equal portion of the globe. Their present population is 2,969,696, being only 12·6 to a square mile. . . . Forty years ago the whole civilized population of this district was but 50,240; now it is 2,970,696. The ratio of increase during each decennial period of this country is 483,202·85, and 102 per cent. The numerical increase of the last ten years is 1,502,604, being more in number than the whole increase of England and Wales during the first sixty years of the last century. The increase per cent. is greater than the increase per cent. of England and Wales during the last forty years. . . . Wheat flour—from its value, its lightness of freight, capability of preservation, and adaptedness to the wants of different countries, as well as the natural indications of the soil and the abundance of water-power, either in that country or along the lines of communication with the sea-board;—wheat flour must be the principal reliance of the north-west for foreign export, and for the means of paying for articles of necessity or comfort brought from abroad. The more extended introduction of this staple into our foreign trade would not only increase the actual commerce and revenue to that extent, but would tend to relieve our general monetary interests from the severity of the fluctuations arising from the present almost exclusive reliance upon a single staple. But the most advantageous foreign markets for wheat are grievously obstructed, and rendered so uncertain and fluctuating as to be nearly valueless to the American farmer, by the Corn-laws of Great Britain. The tendency of this system to general impoverishment, and to the increase of misery and discontent among the poorer classes, is already awakening intense observation in Great Britain. The manufactories stop work, because orders do not come from America; and the orders are not sent, because that with which payment might be made to a large amount will not be received on any just and reasonable terms. The goods are wanted here; and our free industry is abundantly able to produce the means of payment; but the great staple of the north-west is under an interdict. The operatives are thrown out of employment, and reduced to the lowest means of subsistence, and unable to consume a full measure of the products of agriculture, and thousands are made paupers, and become an absolute charge upon the land. The consumption of agricultural products is diminished; the agricultural

labourers share the common distress; and agriculture itself, the very object sought to be benefitted by this unnatural arrangement, is oppressed by its own protection. It is demonstrable that a well-employed, well-paid, well-fed, prosperous community of operatives would consume and pay for more agricultural products, in addition to the wheat they might import from America, than a depressed and starving community would without the wheat. The best authorities agree that a very large proportion of the misery which we hear of among the factory children is the result of the Corn-laws; first diminishing the employment and the wages of the parent, and then raising the price of his provisions, until sheer want drives him to sacrifice his children for bread! Thus, while we are wanting goods (not, indeed, the necessities of life, but the comforts of civilized and refined life), and our granaries bursting with abundance, England's mills are standing still, and her poor perishing with hunger. Surely, the common instincts of our nature, the enlightened and philosophic benevolence which regards human happiness as the great object of human society and government, require a faithful examination of this system by all nations. . . . Those States have burdened themselves with heavy debts,—all incurred for the purpose of making roads, canals, and railways. All these improvements were calculated with reference to the conveyance of the products of the soil to markets out of their borders, and all converging, in effect, towards the great Atlantic seaports, whence those products should seek a European market. On the other hand, let it be supposed, for a moment, that the landholders of England would be satisfied with a moderate duty, in addition to the protection afforded by the cost of freight and importation, now amounting to 30 per cent. of the net proceeds; there would then be a constant market for wheat in England, to which the uncommonly uniform climate of the north-west would furnish a constant and full supply; and the whole returns would be required in British manufactured goods, generally of the description that yield the greatest profit. Immediately, orders would go from this country to set every wheel, and spindle, and hammer in motion. Immediately, these States would be willing to tax themselves for the interest of the public debt, because they would see how taxes could be paid. Immediately, the State stocks would rise, because the interest would be secured, with a certainty that the public works would be completed and rendered productive. The manufacturing industry of England, and the agricultural industry of the north-west, would be stimulated to the highest productiveness, by the best of all encouragements—the hope of a fair reward. The great cotton staple, too, would feel the benefit of a new and healthy impulse given to trade. The public works would be finished, and the lines of communication now open would be thronged with freight."

He would quote another authority as to the capacity of the State to supply it, and it was not of one too favourable to American institutions, but who had taken a most impartial view of all that he observed, whether physical or political—he referred to De Tocqueville's work on the United States. He expressed the opinion that

"Such is the extent and fertility of the valley of the Mississippi, that it could with ease feed the whole world."

And while upon this subject he could not help reading to the House the view which has been recently taken by an able and eminent philanthropist in the United States, Dr. Bailey (a great friend to the emancipation of slaves) upon the subject of commercial reform in England, he says:—

"Perhaps no movement in the history of the world, since the abolition of slavery in the British colonies, is fraught with more important consequences, both to Great Britain and this country. If it should prove successful,—and of this there can be no doubt; succeed it must, if not now, yet within a very short period,—it will give relief to the suffering millions of England; it will enable Great Britain to keep more of her population at home, and thus increase her manufactures, which will find an enlarged market in this country, as our farmers will then have value to give in exchange. By opening a vast market for our wheat, it will greatly quicken our industry, and tend to develop the immense resources of these western and north-western States; it will place trade between the two countries on a fairer footing, and, while it will add comfort and power to the people of England, will aid us to relieve ourselves from oppressive debts. By multiplying the vital connections between us, it will foster friendly feelings, and so identify our interests as to reduce incalculably the chances of war between the two great powers, on the preservation of whose amicable relations, owing to their illimitable commerce, and their being the chief depositories of free institutions and an active christianity, depends to a great extent the peace of the world.

"How deeply to be regretted is it, that rational and Christian views on the subject of restrictive duties do not prevail throughout the world. God has given a rich patrimony to his children on earth, and has so arranged soils and climates that, by the variety of their products, one part producing what another part lacks, all parts might be made dependent on each other, and the tie of a common interest, restraining passion and selfishness, bind all together in fraternal harmony. The policy of man is at war with the indications of providence. Each nation would monopolize all art and nature, and make the world tributary, not once remembering that if it could produce within itself

all it wished, it could sell nothing, for the world would have nothing to give valuable to it in exchange. Whatever temporary policy may seem to demand, free-trade is the law of nature, and will be the law of nations, when nations shall come to understand their true interests.

"Let the Corn-law reform succeed in England, and the tariff question will be divested to a great extent of its importance, for who would think of proposing a high tariff on British goods, when she had opened her market to our staples? Under such circumstances, no great question could interpose to prevent the national consideration of the subject of slavery."

Upon the influence of free-trade upon slavery it had been lately said by an influential writer and abolitionist in Massachusetts:—

"Opening a better market for our own products is absolutely necessary to enable us to shake off our commercial dependence on slavery. Now, we pay for all we need from foreign countries in slave-grown produce. Give us a foreign market, and we can pay for all we import with our own productions, besides selling enough to the South to buy all the cotton and sugar we need. Every man in New England, every man in the free states, has an interest at stake in this matter."

With all these opinions and authorities for the fact of the abundance in America of what we needed, and great moral and political benefits that would result from freedom of interchange with that country, why were our people to be precluded from the advantage and improvement it would afford them. Why, he asked, should this be done, when property was daily deteriorating in value, when the state of the country was admitted on all sides to be deplorable. This was a state of facts which he said no one dared deny, no one dared to question. They knew it was true that people were starving here; and they knew that abundance of food might come from America. They could not dare deny this, and yet they shrunk from replying to the people when called upon to do them justice. He said that if the people endured this, it was most fortunate for those opposite. He thought that those who stood between these blessings which God had provided and the people's present privations, were very fortunate in the divisions which still existed among the people themselves; for he could not account for the people's endurance of them with such patience on any other grounds. *He, however, should recommend the House not to depend too much upon the continued*

disunion of the middle and working classes, and let them be prepared for the consequence of their being united, for most surely they could thus in union obtain complete redress of their wrongs. And let the landed aristocracy be aware then, lest more be not swept away than they need at present surrender. What was the single pretext which was now urged against the application of this remedy, or rather, he should say, concession to justice? Why, that they were afraid that, though it might benefit other classes, it would distress the agriculturists. But he begged to doubt, if the sanction of farmers and labourers could be procured for that opinion. He sometimes watched those meetings of what are called agriculturists, and they complained of being deceived by those whom they trusted. It was not all of them who clamoured for this unrighteous law. He held in his hand an extract from a speech made by a farmer at the East Essex Agricultural Society's meeting, which he would read to the House. [The hon. Member then read the speech, which was to the effect that, though these Corn-laws might tend to keep up rents, yet, as an humble man, he ventured to believe that they were highly injurious to farmers, and would sooner or later lead to their ruin.] He believed that this farmer spoke the sentiments of many others; but, unfortunately, they seldom got the real opinions of these men, for they were not altogether free agents, and they were told by the landlords in Parliament, that these laws were passed for their interests, and that they would not be enabled to hold their lands without them. They, then, fearing that the rents would be maintained, and that prices would fall, echoed the sentiments of their landlords, that they were essential to agriculture, and then the country Members and Peers pointed to the opinions of the agriculturists as if they alone were interested, and seemed, in this House, to act under constraint from farmers and voters. But he ventured to say that if half a dozen great proprietors in each House would publicly declare that the Corn-laws might be repealed without any greater effect than somewhat lowering rent, the fears of the tenants would soon be allayed; or if they would provide for leases being surrendered, if taken in any expectation of certain prices secured by the law, it would have a still more soothing effect. But whether the farmers were to be appeased or not, he ventured again to say that the Government must show that some

other remedy was the one required, or some public ground why the Corn-laws, so generally ascribed as the cause of the present crisis, should not be repealed. The people had now to consider that every one single thing that had been promised or urged in defence of the Corn-laws had proved false and fallacious, while hardly a single thing had been predicted of its evil effects that had not been verified. It was promised that our supplies would be sufficient, that the home trade would be improved, and that the wages of labour would be maintained. What had been the state of the country for the last three years? What could be more opposed to such a condition as this? Every ten years during the present century they had become more and more dependent upon other countries for their supplies, the home trade each year more and more affected by the high price of food, and the wages of labour were hourly sinking. What fresh pretext, what new promise was, or could be, offered to justify its continuance? and if there were none, why was it not acknowledged, and the monstrous blunder in the selfish exercise of power corrected as soon as possible, for the history of human error or human cupidity told of nothing worse than this experiment of raising the price of food by limiting its quantity to a constantly increasing population, in order to add value to particular property. There was a tendency in every community in its members to increase beyond the means of subsistence, and it should have been the care, it should have been the constant subject of the

statesman's solicitude to see that means were taken to keep the supply adequate to the demands of the population. But was it to be endured after the experience of the results, after the general disclosure of what was worse than its error, after the detection of the imposture by which it had been maintained, that at this hour they should have passed, and still seek to maintain a law having precisely the same object as the last, and that would be attended with the same effects. For what purpose they had changed the old law at all God only knew, for all who understood the operations of the old law predicted a repetition of the same results under the present. The same kind of interest was presented to persons to gamble, to tamper with the food of the people, and to hold it back when it was wanted for the double gain of the higher price and lower duty. He would not, at this time, longer detain the House; he pointed to the repeal of the Corn-law as the remedy for much of the distress, and he called for inquiry to satisfy those who disputed the efficiency of that remedy, or who doubted the cause of the distress, or the correctness of their opinions to this effect on that side of the House; the country was in no state to stand upon mere questions of time and form; something, he again said, must be done, or something must be said to shew that nothing could be done. As yet nothing of the kind had been said or done, and for that reason he should vote for his hon. Friend's resolution.

# INDEX

TO

## HANSARD'S PARLIAMENTARY DEBATES,

### VOLUME LXIV.

BEING THE FIFTH VOLUME OF SESSION 1842.

 The (\*) indicates that no Debate took place upon that Reading.

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